



**City of Cleveland**  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erievue Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 3500 0000 1759 8751  
RETURN RECEIPT REQUESTED**

September 20, 2013

Nitin Thaker  
Westlake Sunoco  
27179 Detroit Road  
Westlake, OH 44145

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-61-6270**

**NOTICE OF VIOLATION: Failure to Successfully Pass Stage II Vapor Recovery Testing**

Dear Mr. Thaker:

On September 3, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Westlake Sunoco located at 27179 Detroit Road in Westlake, Ohio. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has determined that Westlake Sunoco failed to pass Air-to-Liquid Ratio test on pump #8 on Emissions Unit G001: Gasoline Dispensing Facility (GDF), Wayne Dresser. This is a violation of Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(1)(c), in that applicable Stage II testing, as contained in OAC rule 3745-21-09(DDD)(2), has not successfully passed. This is also a violation of Ohio Revised Code section 3704.05(G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Westlake Sunoco schedule and retest the Air-to-Liquid Ratio and submit the test results within fourteen (14) days, to the following enforcement representative:

Roman Fedorko  
Cleveland Division of Air Quality  
75 Erievue Plaza, 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp/ComplianceAssistanceandPollutionPrevention.aspx> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Roman Fedorko at (216) 664-4794. All correspondence with CDAQ must include the Ohio EPA facility identification number for Westlake Sunoco: 13-18-61-6270.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/rf

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
L:\Data\Facilities\1318616270\2013-09-03 NOV.docx