



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
216/664-7297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL #70022030000118088640
RETURN RECEIPT REQUESTED

April 13, 2010

Robert Sposit
Pearl and Bradley Sunoco
5385 Pearl Road
Parma, OH 44134

NON-HPV

FACILITY ID: 13-18-45-8365
NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:
FAILING STAGE II TESTING

Dear Mr. Sposit:

On December 8, 2009, and February 26, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Pearl and Bradley Sunoco located at 5385 Pearl Road in Parma. This letter serves as notification that you were operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Pearl and Bradley Sunoco failed the Static Leak test on December 8, 2009. The failure to successfully pass the testing requirements specified in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2), while causing, allowing, or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle, were violations of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code (ORC) Chapter 3704.05(G).

A retest was performed and Static Leak passed on February 26, 2010. Deficiencies in the Stage II system that existed have been corrected.

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.

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 Andrew Kenney at (216) 420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Pearl and Bradley Sunoco: 13-18-45-8365.

Sincerely,

Hinda Kimmey for G.B.

George Baker
Chief of Enforcement

GB/ak

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318458365\2009-12-8 NOVFL.doc

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Andrew Kenney, CDAQ
Suite 200
75 Erieview Plaza
Cleveland, OH 44114



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1. Article Addressed to:

Robert Spasit
Pearl and Bradley Sumac
5385 Pearl Rd
Parma, OH 44134

2. Article Number
(Number from service)

7002 2030 0001 1808 8640

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Robert Spasit *7/14/10*

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