



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7003 1010 0004 2923 5120
RETURN RECEIPT REQUESTED**

6/8/11

Wayne Eliason
Oakwood Sunoco
22775 Broadway Ave.
Oakwood, OH 44146

FACILITY ID: 13-18-40-8424
NOTICE OF VIOLATION: Failure to conduct Stage II testing

Dear Mr. Eliason:

On 5/31/11, the Cleveland Division of Air Quality (CDAQ) inspected Oakwood Sunoco located at 22775 Broadway Ave. in Oakwood. 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 Oakwood Sunoco failed to perform an Air-to-Liquid Ratio test (A/L), and a Static Leak test (SL) for 2010 as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). CDAQ records indicate the last A/L and SL tests conducted at this location occurred 11/2/09. This is a violation of your Permit-to-Install (PTI) #13-04429 issued on 10/28/04, Ohio Administrative Code Rule 3745-31-05(A)(3) and 3745-21-09(DDD)(2), and Ohio Revised Code Section 3704.05(C) and (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 Oakwood Sunoco conduct the required testing and submit results to the following enforcement representative:

Dave DeChant
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839



Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. 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.

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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Oakwood Sunoco: 13-18-40-8424.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/dd

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
✓ Facility File and L:\Data\Facilities\1318408424\2011-5-31 NOV.docx