

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

22627  
Chris Thomas  
ASP Sunoco  
5326 Turney Rd  
Garfield Hts, OH 44125

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*Chris Thomas*

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

8/18/11

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

7010 1870 0000 6591 3912



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 7010 1870 0000 6591 3912  
RETURN RECEIPT REQUESTED**

August 16, 2011

Chris Thomas  
5326 Investments, LLC. Dba ASP Sunoco  
5326 Turney Road  
Garfield Heights, Ohio 44125

**NON-HPV**

**FACILITY ID: 1318226217  
NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:  
Failing To Conduct Annual Stage II Testing**

Dear Mr. Thomas:

On August 3, and 9, 2011, the Cleveland Division of Air Quality (CDAQ) inspected 5326 Investments, LLC. Dba ASP Sunoco located at 5326 Turney Road in Garfield Heights, Ohio. This letter serves as notification that you operated sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

On August 3, 2011, 5326 Investments, LLC. Dba ASP Sunoco Gasoline Dispensing Facility (GDF) failed to preform to conduct the annual Stage II Testing as required by Ohio Administrative Code (OAC) Rule 3745-21-09(2)(f), since June 12, 2009. The failure to successfully pass the testing requirements specified in 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, was a violation of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code (ORC) Chapter 3704.05(G).

An annual Stage II Test was performed and passed on August 9, 2011.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.



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 Mike Samec at (216) 420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for 5326 Investments, LLC. DbA ASP Sunoco: 1318226217.

Sincerely,

Linda Kimmy  
Field Enforcement Manager

LK/ms

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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