



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

June 2, 2010

RE: CERTIFIED WARNING LETTER
INITIAL STAGE II COMPLIANCE TEST
HOLY FAMILY MART, LLC
DAPC FACILITY ID 0247040707

CERTIFIED MAIL

Thomas Luckiose
Holy Family Mart, LLC
432 Oberlin Rd.
Elyria, OH 44035

Dear Mr. Luckiose:

The annual Stage II compliance demonstration conducted at Holy Family Mart, LLC located at 432 Oberlin Rd. in Elyria, Ohio on April 06, 2010, demonstrated compliance with the requirements of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD).

This testing was very late before it was determined that underground repairs needed to be made. Failure to test on time is a violation of OAC Rule 3745-21-09(DDD). This office exercised great patience while construction work was being planned and performed at the facility. **Please ensure that the next test is performed by April 2011.**

This station is currently operating without permits in violation of OAC Rule 3745-21-09(DDD). I have enclosed a Permit by Rule Notification form. Please complete the form and return it as per the instructions **within fourteen (14) days of your receipt of this letter**. This will replace any needed permit-to-install and operate (PTIO) and will mean you no longer have to pay the biannual emission fees.

The proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility was not available in violation of OAC Rule 3745-21-09(DDD). I have enclosed a copy of the Rule that is applicable to gasoline dispensing facilities as well as a list of testing companies. Some of these companies conduct the Stage II training. **We will expect that the training will be completed prior to your next Stage II test.**

Failure to comply with this request may result in a referral to the Central Office of Ohio EPA for enforcement action. The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

MR. THOMAS LUCKIOSE
JUNE 2, 2010
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If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1270.

Sincerely,



Tim Fischer
Environmental Supervisor
Division of Air Pollution Control

TF:bo

enclosures: List of Stage II testing companies
Permit-by-Rule Form
OAC Rule 3745-21-09(DDD)