



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 15, 2011

**CERTIFIED WARNING LETTER
FAILURE TO CONDUCT ANNUAL
STAGE II COMPLIANCE TESTING
DAPC FACILITY ID #0228000291**

CERTIFIED MAIL

Carolyn Cianfaglione
Hambden Sunoco
13940 GAR Highway
Chardon, OH 44024

Dear Ms. Cianfaglione:

Our records indicate that Hambden Sunoco, located at 13940 GAR Highway in Chardon, Ohio, last conducted the required annual Stage II compliance testing on January 12, 2010 (which was the 2009 test conducted late). This testing is required to be conducted annually and should have been performed by November of 2010.

On December 28, 2010, I spoke with you by phone and you indicated that you would call your testing company to schedule the testing. To date, testing has not been scheduled with this office by any testing company.

Failure to conduct this testing on an annual basis is a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD). **Please schedule this testing within seven (7) days of receipt of this letter so that the testing may be conducted within twenty-one (21) days of receipt of this letter.**

We strongly advise that you conduct maintenance on your Stage II vapor control equipment prior to having the testing conducted. Also, be sure to have all of the records required by OAC Rule 3745-21-09(DDD) available for inspection during the test.

Failure to test in a timely manner may result in referral to Ohio EPA's Central Office for enforcement action. This letter 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.

If you have any questions, please do not hesitate to contact me at (330) 963-1270.

Sincerely,

Tim Fischer
Environmental Supervisor
Division of Air Pollution Control

TF:bo