



Environmental
Protection Agency

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

February 15, 2011

RE: CERTIFIED WARNING LETTER
FAILURE TO CONDUCT ANNUAL
STAGE II COMPLIANCE TESTING
DAPC FACILITY ID #0228000258

CERTIFIED MAIL

Steve Gaetjens
Russell Shell
15081 Hemlock Point Rd.
Chagrin Falls, OH 44022

Dear Mr. Gaetjens:

Our records indicate that Russell Shell, located at 14900 Chillicothe Rd., in Novelty, Ohio 44072, last conducted the required annual Stage II compliance testing on August 27, 2009. This testing is required to be conducted annually and should have been performed by August of 2010.

On January 12, 2011, a representative of this office visited the station and was told by the manager that the notification of late testing would be passed on to the appropriate person. To date, testing has not been scheduled.

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

pc: Station Manager
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