



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

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

April 29, 2009

RE: NOTICE OF VIOLATION
ANNUAL STAGE II COMPLIANCE TEST
ASHTABULA DUCHESS
DAPC FACILITY ID 0204010398

CERTIFIED MAIL

Tracy Sullivan
Ashtabula Duchess
447 James Parkway
Heath, Ohio 43056

Dear Mr. Sullivan:

The annual Stage II compliance demonstration conducted at Ashtabula Duchess located at 1415 Lake Ave. in Ashtabula, Ohio 44004 on April 23, 2009, demonstrated compliance with the testing requirements of Ohio Administrative Code Rule 3745-21-09 (DDD).

Our inspector noted that there was no Stage II training certificate available. This is the third year in a row that we have noted this. In our letter to you last year, we notified you of the need for the station manager to attend this training and to have the Certificate of Training available at the station. Please contact your testing company to obtain the training.

The next Stage II compliance demonstration is due in April 2010.

Failed test results constitute a violation of OAC Rule 3745-21-09 (DDD).

Violations of state air pollution control regulations are punishable by a civil penalty of \$25,000 per violation. Issuance of this notice does not excuse any violation of state law regarding air pollution. As per Ohio EPA policy, we will be submitting a request to our Central Office in Columbus to begin formal enforcement action.

If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1223.

Sincerely,

Dennis Bush
Environmental Manager
Division of Air Pollution Control

DB:bo

pc: Tom Kalman, DAPC, CO
Lisa Holscher, USEPA, Region V
Tim Fischer, DAPC, NEDO
Station Manager