



State of Ohio Environmental Protection Agency

Northeast District Office

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

August 27, 2009

RE: NOTICE OF VIOLATION
FAILED FIVE-YEAR STAGE II
COMPLIANCE TEST
MARATHON OIL 2992
DAPC FACILITY ID #0247010635

CERTIFIED MAIL

Ali Mohammad
Marathon Oil 2992
960 North Leavitt Road
Amherst, OH 44001

Dear Mr. Mohammad:

The five-year Stage II compliance test conducted at Marathon Oil 2992 located at 960 North Leavitt Road in Amherst, Ohio on May 12, 2009, failed to demonstrate compliance with Ohio Administrative Code (OAC) Rule 3745-21-09(DDD). A subsequent retest on June 24, 2009, passed.

2009 Testing

On May 12, 2009, the station passed the static leak test and dynamic pressure test, but failed the A/L test for pumps 2, 3, 5, 6, 7, 8, 9, & 10. During this testing, many parts were replaced in order to pass the static leak and dynamic pressure tests and in order to attempt to pass the A/L test, including: all four dry break caps; whips on pumps 2, 3, 4, 5, 6, 7, 8, 9, & 10; and new hoses on pumps 2, 8, & 10.

The retest passed on June 24, 2009. However, this is an excessive amount of time to repair the equipment and perform a retest.

2008 Testing

Testing for 2008 occurred on May 12, 2008. The station passed the static leak test, but failed the A/L test for pumps 1 & 2. During this testing, many parts were replaced in order to pass the static leak test and in order to attempt to pass the A/L test, including: nozzles on pumps 1, 4, & 5; hoses on pumps 4, 6, & 7; cap on dry break side of pump 1; and drop tube on #1.

The retest passed on September 5, 2008. However, this is an excessive amount of time to repair the equipment and perform a retest.



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

Permit-by-Rule

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 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. Failure to complete and submit this form or apply for a PTIO is a violation of OAC Rule 3745-31-02.

The most recent compliance demonstration 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 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

enclosure: Permit-by-Rule Form

pc: Tom Kalman, DAPC, CO
Lisa Holscher, USEPA, Region V