



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 1, 2009

RE: NOTICE OF VIOLATION FOR  
OHIO TURNPIKE COMMISSION  
VERMILLION VALLEY AND  
MIDDLE RIDGE SERVICE PLAZAS  
OHIO EPA IDS #0247010588 AND  
0247010590

CERTIFIED MAIL

Timothy J. Ujvari  
Ohio Turnpike Commission  
682 Prospect Street  
Berea, OH 44017

Dear Mr. Ujvari:

The annual Stage II compliance demonstrations conducted at The Ohio Turnpike Commission Vermillion Valley and Middle Ridge Service Plazas, on July 28, 2009 and August 17, 2009, demonstrated compliance with Ohio Administrative Code (OAC) Rule 3745-21-09(DDD).

However, the past three years of compliance history for these two facilities indicates a repeated pattern of violations.

2007 - Vermillion Valley Plaza

- |                      |  |
|----------------------|--|
| June 20, 2007 –      | Testing was attempted, but cancelled when it was determined that there was too much ullage in the tanks, over 25,000 gallons.                                  |
| July 20, 2007 –      | Testing was attempted, but failed the static leak test due to a spill bucket leak on tank #6. A/L tests could not be performed due to the static leak failure. |
| September 27, 2007 – | Testing was attempted and after replacing several parts, the static leak passed, but the A/L failed for pumps #'s 3, 5, 9, & 13.                               |
| October 18, 2007 –   | Testing was attempted and passed the remaining A/Ls.   |

2008 – Vermillion Valley Plaza

June 16, 2008 – The five-year test (includes dynamic pressure test) was attempted and after many repairs, the static leak and A/L tests passed. The dynamic pressure test was not performed as the testing company did not bring the correct equipment.

July 14, 2008 – The dynamic pressure test was attempted and passed after replacing the breakaway on pump #3.

2009 – Vermillion Valley Plaza

May 20, 2009 – Testing was attempted and the static leak passed, but the A/L test failed for pumps #'s 4, 5, and 6. Numerous parts were replaced in an effort to pass.

July 29, 2009 – A retest was attempted and the station passed.

2008 – Middle Ridge Plaza

June 16, 2008 – The five-year test (includes dynamic pressure test) was attempted and although many pieces of equipment were replaced, the station failed the static leak and A/L's for pumps #'s 9, 10, 18, & 25. The dynamic pressure test could not be performed as the testing company did not have the appropriate equipment.

July 14, 2008 - A retest was attempted and passed after replacing several pieces of equipment.

It was noted on this date that daily inspection records were not being maintained and the operator of the station was not certified, both violations of OAC rule 3745-21-09(DDD).

2009 – Middle Ridge Plaza

May 19, 2009 - Testing was attempted, but could not pass because of many leaks. Hoses on nine different pumps looked to be in poor condition and several dry break caps had no gaskets.

July 28, 2009 - Testing was attempted, but repairs had not been made so testing could not be done as it could not pass.

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MR. TIM UJVARI  
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August 17, 2009 - Testing was attempted and static leak and A/L tests passed, only after replacing numerous pieces of equipment.

Failed test results constitute a violation of OAC Rule 3745-21-09(DDD). The above testing history indicates poor preventative maintenance and clearly shows that the Stage II control systems at these facilities are not being maintained in working order.

Based on the above testing failures, an enforcement action request is being sent to the Central Office of Ohio EPA.

Eventual passing of the Stage II testing 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

pc: Tom Kalman, Ohio EPA, DAPC, CO  
Lisa Holscher, U.S. EPA, Region 5