



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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

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

August 6, 2009

RE: NOTICE OF VIOLATION
ANNUAL STAGE II COMPLIANCE TEST
LAKESIDE FUEL MINI-MART
DAPC FACILITY ID 0243121044

CERTIFIED MAIL

Syeda Nawazish
Lakeside Fuel Mini-Mart
3389 North Ridge Rd.
Perry, OH 44081

Dear Mr. Nawazish:

The annual Stage II compliance demonstration conducted at Lakeside Fuel Mini-Mart located at 3389 North Ridge Rd. in Perry, Ohio on February 9, April 17, June, 3, and June 26, 2009, demonstrated compliance with the requirements of Ohio Administrative Code (OAC) Rule 3745-21-09 (DDD).

The next Stage II compliance test is due in February 2010.

Summary of 2009 testing violations

On February 9, 2009, an annual test was attempted, but the static leak and A/L testing could not be performed due to the poor condition of the equipment. The nozzles on pumps #'s 2 and 4 were smashed, the hoses on pumps #'s 3 and 4 needed to be replaced, 2 vent caps needed to be replaced, and a dry breakout on pump #2 was leaking and needed to be replaced.

On April 17, 2009, the A/L test passed after making adjustments to the regular fuel portion of pumps #'s 1, 3, and 4. The nozzle on pump #3 was still smashed and needed to be replaced and all three ATG caps were leaking. The static leak test failed.

On June 3, 2009, the ATG caps were still leaking. Even after replacing them, there were too many leaks in the system to pass the static leak test.

On June 26, 2009, the station passed the static leak test.

MR. NAWAZISH
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The above testing failures constitute violations of OAC Rule 3745-21-09(DDD).

Other violations

The proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility was not available during any of the above tests. I have enclosed a copy of the Rule that is applicable to gasoline dispensing facilities as well as a list of testing companies. Some of these companies conduct the Stage II training. We will expect that the training be completed prior to your next Stage II test. Failure to comply is a violation of OAC Rule 3745-21-09(DDD). This station was warned of this in writing after the 2007 test.

During this year's testing our inspectors also noted that the daily record keeping was not being maintained properly in violation of OAC Rule 3745-21-09(DDD). Please be sure to maintain this record keeping in an orderly fashion.

Issuance of this Notice of Violation 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

enclosures: OAC Rule 3745-21-09 (DDD)
List of GDF testing companies
Permit by Rule Notification form