



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

July 20, 2009

RE: NOTICE OF VIOLATION FOR CONCORD
SUNOCO AND COOKE'S SERVICE
DAPC FACILITY ID 0243001266 AND
NO DAPC FACILITY ID ASSIGNED FOR
COOKE'S SERVICE

CERTIFIED MAIL

Rollin Cooke
Cooke's Service
400 Water Street
Chardon, OH 44024

Dear Mr. Cooke:

Testing Violations

Our records indicate that the last Stage II compliance demonstration at Concord Sunoco located at 9861 Johnnycake Ridge Rd, Concord Twp. was October 23, 2007 and that the last Stage II compliance demonstration for Cooke's Service located at 400 Water Street in Chardon was November 29, 2004. The compliance tests are required annually pursuant to Ohio Administrative Code (OAC) Rule 3745-21-09(DDD).

By letter dated November 1, 2007, you were notified that Cooke's Service was behind on its testing.

Failure to perform these required tests annually, including the five-year dynamic pressure test, constitutes a violation of OAC Rule 3745-21-09(DDD).

Please schedule any necessary repairs and conduct a retest **within 30 days of your receipt of this letter** for both of these facilities.

Permit Violations

I have enclosed a Permit by Rule Notification form. Please make copies and complete the form for each station and return it as per the instructions. 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 submit these forms may result in a request from this office to submit applications for PTIOs and fees.

Training Violations

Mr. Rollin Cooke
Concord Sunoco/Cooke's Service
Page 2 of 2

Also, in the letter dated November 2, 2007, you were notified that the operator or local manager of each station must provide proof of attendance and completion of the training required by Ohio EPA.

Failure to do so is a violation of OAC Rule 3745-21-09(DDD). 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. Please contact one of the companies and schedule the training as soon as possible.

Enforcement

Because of the above violations, an enforcement action request is being sent to the Central Office of Ohio EPA.

The submission of the requested information 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 Stage II testing companies
Permit by Rule Notification form

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