Environmental
Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

December 29, 2010

RE: NOTICE OF VIOLATION
ANNUAL STAGE II COMPLIANCE TESTING
AM/PM AND EASY TRIP STATIONS

CERTIFIED MAIL

Mr. Karl Estock
EZ Energy USA, Inc.
75 Maddox Road NE Ste 303
Buford, GA 30518

Dear Mr. Estock:

The annual Stage II compliance demonstration conducted at the stations listed below, demonstrated compliance with the requirements of Ohio Administrative Code Rule 3745-21-09(DDD).

DAPC Facility ID	Station	Address
0243161063	AM/PM #3666	4015 Erie Street, Willoughby, OH 44094
0243111049	AM/PM #2412	7515 Auburn Road, Painesville, OH 44077
0243151062	AM/PM #2404	30502 Lakeland Blvd., Wickliffe, OH 44092
0243081105	AM/PM #2403	8360 Broadmoor Road, Mentor, OH 44060
0243081054	AM/PM #2410	6709 Center Street, Mentor, OH 44060
0243081058	Easy Trip #1127	5711 Heisley Road, Mentor, OH 44060
0243111061	AM/PM #1120	8 East Erie Street, Painesville, OH 44077
0243161064	AM/PM #2405	2481 SOM Center Rd., Willoughby, OH 44094
0243161069	AM/PM #2409	2865 Bishop Rd., Willoughby Hills, OH 44094
0243011051	Easy Trip #1121	35068 Vine St., Eastlake, OH 44094
0228000202	Easy Trip #1123	17664 Chillicothe Rd., Chagrin Falls, 44022

However, there were numerous violations at these stations as shown in the following table:

Station #	Passed Initial 2010 test	Maintenance Records	Stage II Training Certification	Test Report Submitted w/in 30 days
3666	**No* (A/Ls 1, 2, 3, 5, 6, 8)**	Yes	Yes	**No**
2412	Yes	Not checked	Not checked	**No**
2404	**No (A/L 3)**	**No**	Yes	**No**
2403	**No (A/Ls 2, 7, 11)**	Yes	Yes	**No**
2410	**No (static leak / A/Ls)**	**No**	**No**	**No**
1127	**No (A/Ls 1, 2, 5-8, 11, 12)**	Yes	Yes	**No**
1120	**No**	Yes	Yes	**No**
2405	**No (A/Ls 2, 13, 14, 16)**	Yes	Yes	**No**
2409	**No (A/L 4)**	**No**	**No**	Yes
1121	Yes	**No**	**No**	Yes
1123	Yes	Not checked	Not checked	**No**

* This station also failed 2 additional times.

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

Failure to pass the Stage II testing (air-to-liquid, static leak, or dynamic pressure test) is a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD). Eight of the eleven stations failed at least once for the 2010 testing. **Please make sure that preventative maintenance is being performed to make sure this does not occur in 2011.**

Failure to maintain monthly gasoline throughput and maintenance records is a violation of OAC Rule 3745-21-09(DDD). Four of the eleven stations (nine were inspected) did not have maintenance records available. **Please make sure that these records are maintained and available for inspection at all times.**

Failure to provide proof that the manager/operator has taken Stage II specialist training is a violation of OAC Rule 3745-21-09(DDD). Three of the eleven stations (nine were inspected) did not have this proof of training. **Please ensure that the station manager/operator schedules this training as soon as possible. Once training has been taken, please submit a copy of the certificate.**

Failure to submit the test results within 30 days after the testing occurs is a violation of OAC Rule 3745-21-09(DDD). The test results were submitted late for nine of the eleven stations in violation of OAC Rule 3745-21-09(DDD). The results were generally not submitted until this office contacted the testing company to get a copy. **Please ensure that the testing results are submitted on time in the future.**

Some of these tests and many of the retests were not scheduled in advance with this office as required by OAC Rule 3745-21-09(DDD). Some were scheduled but an inspector was not able to attend. This office has no record of others being scheduled. **Please be sure that this office has the opportunity to witness each test.**

Failure to comply with this request may result in a referral to the Central Office of Ohio EPA for enforcement action. 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 or by e-mail at tim.fischer@epa.state.oh.us.

Sincerely,

Tim Fischer
Environmental Supervisor
Division of Air Pollution Control

TF/mt

cc: Tom Kalman, Ohio EPA, DAPC, CO
Bill MacDowell, U.S. EPA, Region V