



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

October 7, 2009

RE: ANNUAL STAGE II COMPLIANCE TEST AND  
NOTICE OF VIOLATION FOR WELLINGTON  
MICKEY MART #18 AND MICKEY MART #47  
DAPC FACILITY IDS: 0247170525 &  
0247100712

CERTIFIED MAIL

Dan Coles  
Wellington Mickey Mart #18 and Mickey Mart #47  
P.O. Box 449  
Milan, OH 44846

Dear Mr. Coles:

The annual Stage II compliance determination conducted at the following locations failed to demonstrate compliance as there were too many leaks to be able to pass the A/L and Static Leak tests.

- September 21, 2009 - Wellington Mickey Mart #18 located at 508 Route 58 South in Wellington, Ohio 44090
- September 22, 2009 - Mickey Mart #47 located at 199 South Main St. in Oberlin, Ohio 44074 on

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

To date, a retest has not been rescheduled resulting in continued violation of OAC Rule 3745-21-09(DDD). Please schedule repairs and conduct a retest **within 30 days of these failed tests.**

Furthermore, the 2008 test for Mickey Mart #47 was attempted on May 7, 2008, but also failed the static leak test and the A/L test. This station never passed the 2008 test in violation of OAC Rule 3745-21-09(DDD).

Mr. Dan Coles  
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Permit by Rule

Wellington Mickey Mart #18 submitted a Permit by Rule notification on July 22, 2008. However, Mickey Mart #47 has yet to submit one. I have enclosed a Permit by Rule Notification form. **Please complete the form and return it as per the instructions.** This will replace any needed Permit-to-Install and Operate and will mean you no longer have to pay the biannual emission fees.

Stage II Training

It does not appear that 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 available. 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 complete this training as soon as possible and fax a copy of the certificate to my attention.**

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 Testing Companies  
PBR Notification Form

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