



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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Cleveland, Ohio 44114-1839  
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www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7000 0600 0022 4716 6306  
RETURN RECEIPT REQUESTED**

June 12, 2012

George Wehbe  
BOA Investments, LLC dba Sunmart Express  
7908 West 130<sup>th</sup> St.  
Strongsville, OH 44136

**FACILITY ID: 13-18-55-8374**

**RETURN TO COMPLIANCE  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Wehbe:

On October 10, 2011, the Cleveland Division of Air Quality (CDAQ) inspected and witnessed Stage II testing at Sunmart Express located at 7908 West 130<sup>th</sup> St. in Strongsville.

A general letter was sent on October 12, 2011, and was unclaimed on three separate dates and was finally returned to CDAQ on December 19, 2011. The general letter was sent prior to the operation of Sunmart Express as notification that you were responsible to complete the specified requirements for Stage II gasoline dispensing facilities within thirty (30) days of receipt of this letter prior to the operation of the station.

On January 10, 2012, CDAQ issued a Notice of Violation which requested that Sunmart Express submit a permit-to-install/operate (PTIO) application or a Permit-by-Rule (PBR) Notification Form for emissions unit (EU) G001: Stage I and II gasoline dispensing facility, complete the necessary Stage II training and submit proof of attendance and completion of training, and that operating instructions be conspicuously posted which clearly state "Do Not Top Off."

CDAQ received a letter dated January 30, 2012, which included a PBR Notification Form and a statement that operating instructions had been posted on the dispensers. CDAQ issued a Receipt of Corrective Action Plan (RCAP) letter on February 14, 2012, stating that Sunmart was still expected to comply with completing the necessary Stage II training and submitting proof of attendance and completion by March 12, 2012.

CDAQ then issued a Second Notice of Violation on May 24, 2012, requiring that Sunmart Express complete the necessary Stage II training and submit proof of attendance and completion of training by June 8, 2012. A copy of a Stage II compliance specialist certificate was received by CDAQ on June 5, 2012, via email.



Appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

CDAQ issues this letter with Ohio EPA's concurrence and does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Sunmart Express: 13-18-55-8374.

Sincerely,

*Valencia White for VW*

Valencia White  
Chief of Enforcement, CDAQ

VW/mm

cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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