



State of Ohio Environmental Protection Agency

Northeast District Office

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

3 #rs - 1 envelope
4 #5204 & 5318

September 16, 2008

RE: NOTICE OF VIOLATION
FAILED ANNUAL STAGE II COMPLIANCE TEST
CIRCLE K #5209
OHIO EPA ID #02 04 01 0276

CERTIFIED MAIL

Kevin Merritt
Circle K Corp.
PO Box 347
Columbus, IN 47202

Dear Mr. Merritt:

The annual Stage II compliance test conducted at Circle K #5209 located at 5825 South Main St. in Ashtabula, Ohio 44004 on May 12 and September 3, 2008, failed to demonstrate compliance for the following parameters:

<u>Parameter</u>	<u>Pass/Fail</u>
A/L Test	Failed
Static Leak Test	Passed
Dynamic Pressure Test	Not required this year
Ohio EPA Inspection	Passed

On May 12, the A/L test failed for dispensers #2 and #4. During the September 3 retest, dispenser #2 passed, but dispenser #4 failed again.

Please schedule repairs and conduct a retest within 14 days of your receipt of this letter.

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

Violations of state air pollution control regulations are punishable by a civil penalty of \$25,000 per violation. Issuance of this notice does not excuse any violation of state law regarding air pollution. An enforcement action will be initiated if this site does not return to compliance within 14 days of your receipt of this letter.

If you have any questions, please do not hesitate to contact me at 330963-1223.

Sincerely,

Dennis Bush
Environmental Manager
Division of Air Pollution Control

DB:bo

cc: Bob Princic, DAPC, NEDO
Tom Kaiman, DAPC, CO
Lisa Holscher, USEPA, Region V
Station Manager