



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, Suite 200  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7009 8410 0002 1933 8202  
RETURN RECEIPT REQUESTED

March 30, 2010

Danny Coffey  
500 Speedway Drive  
Enon, OH 45503

NON-HPV

FACILITY ID: 13-18-00-6050  
NOTICE OF VIOLATION: Failing Annual Stage II testing

Dear Mr. Coffey:

On March 29, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Speedway #9230 located at 17600 Brookpark Road in Brook Park. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Speedway #9230 failed a Static Leak (SL) test on March 29, 2010. The failure to successfully pass the testing requirements in Ohio Administrative Code (OAC) Rule 3745-21-09 (DDD)(2) while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle are violations of Ohio Revised Code (ORC) Section 3704.05(G) and OAC Rule 3745-21-09 (DDD)(1)(b) and (c).

The Air-to-Liquid (A/L) Ratio test passed on dispensers #1 through #8 on March 29, 2010.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Speedway #9230 make the necessary repairs, then conduct a re-test of the SL and submit the test results within thirty (30) days to the following enforcement representative:

Megan Murphy  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within thirty (30) days of receipt of this letter.



Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation 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 Speedway #9230: 13-18-00-6050.

Sincerely,

*Linda Kimmey for G.B.*  
George Baker  
Chief of Enforcement

GB/MM

cc: Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318006050\2010-3-29 NOV.doc

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature X <i>Dustin Barton</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addresser	
B. Received by (Printed Name) <i>DUSTIN BARTON</i>	C. Date of Delivery <i>4-2-10</i>
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

1. Article Addressed to:  
*Danny Coffey  
 Speedway #9230  
 500 Speedway Dr.  
 Enon, OH 45508*

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label) **7009 3410 0002 1933 8202**