



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erievue Plaza, Second Floor  
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 7010 1870 0000 6591 4780  
RETURN RECEIPT REQUESTED**

May 11, 2012

Mike Matejka  
Mayfield Corners  
6665 Mayfield Road  
Mayfield Heights, Ohio 44124

**FACILITY ID: 13-18-50-6829  
NOTICES OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Matejka:

On December 1, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Rocky River Sunmart located at 20045 Lake Road in Rocky River. On December 6, 2011, CDAQ issued a Notice of Violation for operating an emission source without first applying for and obtaining a Permit-to-Install/Operate (PTIO) or by submitting a Permit-by-Rule (PBR) Notification form for Emission Unit (EU) G001: Stage II Gasoline Dispensing Facility, failing to perform an Air-to-Liquid Ratio test, and a Static Leak test, failing to provide a Stage II compliance specialist certificate at the time of the inspection, and failing to provide a log of the date and description of all maintenance work.

CDAQ requested Rocky River Sunmart to:

1. Submit either a PTIO application or a PBR Notification form for EU G001.
2. Perform an Air/Liquid Ratio and Static Leak test, and submit the test results within thirty (30) days from the test date.
3. Submit a copy of a Stage II compliance specialist certificate.
4. Submit a corrective action plan stating how records of maintenance will be maintained in the future.

Rocky River Sunmart performed and passed an Air/Liquid and Static Leak test on December 19, 2011. CDAQ spoke with Mike Matejka on January 11, 2012. Mr. Matejka stated he would be mailing the remaining items to CDAQ. On January 30, 2012, CDAQ issued a Receipt of Corrective Action Plan letter requesting that Rocky River Sunmart submit either a PTIO application or a PBR Notification form for EU G001, submit a copy of a Stage II compliance specialist certificate once the required training had been completed, and submit a corrective action plan stating how records of maintenance will be maintained in the future. On March 1, 2012, CDAQ issued a Second Notice of Violation due to no response to the Receipt of Corrective Action Plan letter.



On May 7, 2012, CDAQ received a completed PBR Notification form, copy of a Stage II compliance specialist certificate, and a copy of records of maintenance. Maintenance records have been accepted in lieu of a corrective action plan stating how records of maintenance will be maintained in the future due to records being maintained but were unavailable at the time of the inspection.

The corrective action plan was received and 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Rocky River Sunmart: 13-18-50-6829.

Sincerely,

Valencia White  
Chief of Enforcement, CDAQ

VW/BSLK

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