



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 7011 3500 0000 1759 5811
RETURN RECEIPT REQUESTED

July 17, 2012

Chris Thomas
5326 Investments, LLC. dba ASP Sunoco
5326 Turney Road
Garfield Heights, Ohio 44125

FACILITY ID: 1318226217
NOTICE OF VIOLATION: FAILURE TO PROVIDE RECORDS OF MAINTENANCE AND TO PROVIDE CERTIFICATE OF OHIO EPA STAGE II TRAINING

Dear Mr. Thomas:

On June 28, 2012, the Cleveland Division of Air Quality (CDAQ) inspected 5326 Investments, LLC. dba ASP Sunoco (ASP Sunoco) located at 5326 Turney Road in Garfield Heights. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

ASP Sunoco is in violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(3)(a)(iii) for failing to provide a log of the date and description of all repair and maintenance work performed for emission unit G001: Stage 1 and Stage 2 Gasoline Dispensing Facility.

ASP Sunoco is also in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) failing to provide proof of attendance and completion of the Stage II training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that ASP Sunoco submit proof of attendance and completion of Ohio EPA Stage II training required by operator or local manager and two weeks of recording keeping for maintenance and weekly inspection forms to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
75 Erievue Plaza 2nd Floor
Cleveland, Ohio 44114-1839



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

ASP Sunoco submitted a Permit by Rule Notification Form to CDAQ on June 28, 2012, during the site inspection to reflect an ownership change.

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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for 5326 Investments, LLC. dba ASP Sunoco: 1318226217.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ
VW/ms LK

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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encl: Ohio EPA Stage II Training Providers

Stage II training providers

Bennett & Associates – self-study manuals. 417 22nd St., Galveston, TX 77550, 888/887-0998, contact: Margaret Bennett Texas Petroleum Marketers & Convenience Store Assoc. (TPCA) 800/460-8662

Ivy Associates – self-paced computer study course. PO Box 18717, Fountain Hills, AZ 85269-8717, 480/837-0829

Ivy Associates/Monarch Assoc. – computer-based/CD-ROM. 102 North Shiloh, Ste. 122, Garland, TX 75042, 214/929-6595, Bob Leigh-Manuell or William Vincent Bader

Jusair Group Inc./Jusair Consultants – paper based, technology based. Oakland Plaza Building, 2512 Oakland Blvd., Ste. 7, Fort Worth, TX 76103, 817/536-6771

Tanknology – self-paced video training course with a workbook examination. 800/800-4633, x104; training@tanknology.com ; <http://www.tanknology.com/>

Tank Integrity – classroom course. 9881 York-Theta Dr., Unit D, North Royalton, OH 44133, 440/582-5119, <http://www.tankintegrity.com/> ; tis@tankintegrity.com

TitanJMM Management Group, LLC – CD-ROM. 820 Tollgate Rd., Elgin, IL 60123, 847/888-0276, Jon M. Marinas

US Tank Alliance – manual and CD-ROM. 6665 Huntley Rd. #N, Columbus, OH 43229 614/847-3666, <http://www.ustankalliance.com/>