



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 #70022030000118088282
RETURN RECEIPT REQUESTED**

November 24, 2009

John Daher
Freeway Sunoco
15504 Waterloo Road
Cleveland, OH 44110

**FACILITY ID: 13-18-00-8353
RECEIPT OF CORRECTIVE ACTION PLAN: FAILURE TO OBTAIN CITY
PERMITS-TO-OPERATE AND PAY CITY PERMIT FEES FOR 2007, 2008 AND
2009 AND SUBMIT STAGE II TEST RESULTS**

Dear Mr. Daher:

On October 7, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation letter requesting that Freeway Sunoco obtain city permits-to-operate by submitting city permit fees for calendar years 2007, 2008 and 2009. Also, CDAQ requested that Freeway Sunoco forward a copy of all Stage II test results from 2009, including the static leak test results from the test performed on August 20, 2009.

CDAQ has received payment of city permit fees for calendar years 2006, 2007, 2008 and 2009 as of October 20, 2009. CDAQ sent city permit-to-operates on October 27, 2009.

You are still expected to comply with submitting a copy of all Stage II test results from 2009, including the static leak test results from the test performed on August 20, 2009, within 7 days of the receipt of this letter. Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action. Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action. Please submit any future correspondence related to this matter to the following enforcement representative:

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



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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Freeway Sunoco: 13-18-00-8353.

Sincerely,

A handwritten signature in black ink, appearing to read "George P. Baker".

George Baker
Chief of Enforcement, CDAQ

GB/ak JK

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
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