

City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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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 3410 0002 1933 8486  
RETURN RECEIPT REQUESTED

April 29, 2010

Scott Kollab  
One Stop Sunoco #2  
6225 Storer Ave.  
Cleveland, OH 44102

**FACILITY ID: 13-18-00-7056**

**LETTER OF WARNING:** Failure to conspicuously post operating instructions which state "Do Not Top Off"

Dear Mr. Kollab:

On April 28, 2010, the Cleveland Division of Air Quality (CDAQ) inspected One Stop Sunoco #2 located at 4402 Lorain Road in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

One Stop Sunoco #2 failed to conspicuously post operating instructions on each dispenser in violation of OAC Rule 3745-21-09(DDD)(1)(d). Fueling instructions must clearly state, "Do Not Top Off" the motor vehicle fuel tank.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that One Stop Sunoco #2 post operating instructions on each dispenser within thirty (30) days of receipt of this letter.

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.

In addition, One Stop Sunoco #2 may be eligible for the Permit-by-Rule (PBR) exemption. This exemption is based on monthly and annual throughput amounts. More information about the PBR Notification form can be found at the following web address: <http://www.epa.state.oh.us/dapc/pbr/permitbyrule.aspx>. Please review the PBR Requirements for gasoline dispensing facilities to determine if One Stop Sunoco #2 meets the criteria for this exemption.



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 One Stop Sunoco #2: 13-18-00-7056.

Sincerely,

*Linda Kimmy 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\1318007056\2010-4-28 NOV.doc

encl: Permit-by-Rule (PBR) Notification Form  
Ohio EPA PBR Fact sheet