



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 3410 0002 1933 8790
RETURN RECEIPT REQUESTED**

June 3, 2010

Michael Matejka
Sunmart
29605 Aurora Road
Solon, OH 44139

FACILITY ID: 13-18-53-6257

RECEIPT OF CORRECTIVE ACTION PLAN: Operating an air emissions unit without obtaining a permit-to-install/operate (PTIO); Failure to provide proof of attendance and completion of training required by Ohio EPA; Failure to conspicuously post "Do Not Top Off" instructions

Dear Mr. Matejka:

On May 13, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Sunmart submit a PTIO application or a PBR Notification Form, complete the required training by Ohio EPA and submit proof of attendance and completion of training, and conspicuously post operating instructions which clearly state "Do Not Top Off" on each dispenser.

CDAQ is in receipt of proof of attendance and completion of training required by Ohio EPA dated May 27, 2010.

You are still expected to comply with submitting a PTIO application or a PBR Notification Form and posting operating instructions by June 23, 2010. 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:

Megan Murphy
Cleveland Division of Air Quality
75 Erieview 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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Sunmart: 13-18-53-6257.

Sincerely,

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

George Baker
Chief of Enforcement, CDAQ

GB/mm

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318536257\2010-5-7 RCAP.doc

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

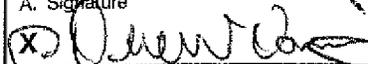
Mike Matejka
 Sunmart
 29605 Aurora Rd.
 Solon, OH 44139

2. Article Number
(Transfer from service label)

7009 3410 0002 1933 8790

COMPLETE THIS SECTION ON DELIVERY

A. Signature



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6/8/10

D. Is delivery address different from item 1? Yes
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