



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview 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 2000 0002 6936 2757
RETURN RECEIPT REQUESTED**

August 21, 2012

Scott Kollab
Owner
One Stop Sunoco #7
14714 Detroit Avenue, # 204
Lakewood, Ohio 44107

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-37-6239

NOTICE OF VIOLATION: Failure to submit a permit-to-install/operate (PTIO) for the operation of your gasoline dispensing facility; failure to submit Stage II testing results within thirty days

Dear Mr. Kollab:

On July 26, 2012, the Cleveland Division of Air Quality (CDAQ) inspected One Stop Sunoco #7, located at 23370 Lorain Road in North Olmsted. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Your operation of emissions unit (EU) G001: Gasoline Dispensing Facility with Stage II vapor controls, is in violation of Ohio Administrative Code (OAC) rule 3745-31-02(A)(1)(b), in that you failed to first obtain authority to operate EU G001 through the issuance of a permit-to-install/operate (PTIO). Your failure to first obtain authority to operate EU G001 through the issuance of a PTIO is also a violation of Ohio Revised Code (ORC) section 3704.05(F). One Stop Sunoco has been in violation of OAC rule 3745-31-02(A)(1)(b) and ORC section 3704.05(F) since May 17, 2012.

Please note that in lieu of obtaining a PTIO, facilities can elect to operate legally as an air contaminant source under the permit-by-rule (PBR) exemption for gas stations if the gas station meets the qualifying criteria pursuant to the PBR exemption under OAC rule 3745-31-03(A)(4)(i): Gasoline dispensing facility with Stage I and Stage II controls permit-by-rule. Information relating to PBR status and a PBR notification form is included with this letter.



Furthermore, you are in violation of OAC rule 3745-21-09(DDD)(2)(c), in that a comprehensive written report on the results of the conducted Stage II tests were not received by CDAQ within thirty days of testing. On May 3, 2012, One Stop Sunoco #7 conducted the following Stage II tests: dynamic pressure, static leak, and air-to-liquid ratio. CDAQ did not receive the results of those tests until August 16, 2012. The results were emailed to CDAQ after a request was made to Environmental Compliance Technologies at your behest. Failure to comply with OAC rule 3745-21-09(DDD)(2)(c) is also a violation of ORC section 3704.05(G).

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 #7 submit the required PTIO application, or the PBR notification form, within fourteen (14) days of your receipt of this letter to the following:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

In addition, CDAQ is requesting a corrective action plan explaining why the Stage II results were not submitted to CDAQ within thirty days of testing and how such violations will be prevented in the future.

If there is insufficient time to correct the alleged violations within this timeframe, you must submit a letter indicating the need for more time which includes a timeline for correcting the above violations, within fourteen (14) days of your receipt of this letter, to the following enforcement representative:

Valerie Shaffer
Cleveland Division of Air Quality
75 Erieview Plaza, 2nd floor
Cleveland, Ohio 44114-1839

Please note that all permit applications submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided. Permit applications may also be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

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 (\$25,000) 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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for One Stop Sunoco #7: 13-18-37-6239.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/vls 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: PBR Notification Form