



AKRON REGIONAL
AIR QUALITY MANAGEMENT DISTRICT

Agent of the Ohio Environmental Protection Agency • Division of the Akron Health Department
Serving Medina, Portage and Summit Counties

TELEPHONE: (330) 375-2480
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L. M. Malcolm, P.E.
Administrator

December 3, 2008

1677 000 535
Mr. Ali Kahook
Gas Express
1487 Canton Road
Akron, OH 44312

Dear Mr. Kahook:

On October 29, 2008, a representative of the Akron Regional Air Quality Management District (ARAQMD) inspected the Gas Express gasoline dispensing facility located at 1487 Canton Road in Akron to determine compliance with OAC 3745-21-09 (DDD) regarding Stage II vapor recovery.

Inspection results/Deficiencies:

Record keeping: No record keeping was available for review. **This facility is in violation of OAC rule 3745-21-09 (DDD)(3) which requires Stage II record keeping to be available for review.**

Equipment: All hoses are in bad repair and in need of replacement.

ARAQMD file: A review of our records found that the Ohio EPA Permit to Operate for this facility expired on November 24, 2008 and the results of Stage II vapor recovery testing have not been submitted to this Agency for testing due in 2005, 2007, and 2008. **Gas Express is in violation of OAC rule 3745-31-02 (1)(b) which requires permit issuance before any air contaminant source can be operated, and failure to test the vapor recovery system installed at this location is a violation of OAC rule 3745-21-09 (DDD)(2).** You also failed to respond to the certified letter sent to you (dated January 20, 2008) regarding violations.

As you were informed by a letter dated November 15, 2006, this facility has Stage II vapor recovery control and is subject to annual testing, inspections, operator training, and record keeping requirements per OAC rule 3745-21-09 (DDD). If you are not familiar with the requirements of this rule, please contact me to obtain that information. According to our records this facility last completed Stage II testing on April 18, 2006 and has failed to complete testing in 2005, 2007, and 2008.

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Within 15 days of receipt of this notice of violation you are to submit a Permit to Install/Operate application, schedule Stage II testing, and respond (in writing) as to what measures have been taken to correct the cited deficiencies. Acceptance of the information requested by this Agency does not constitute a waiver of this Agency's or the Ohio EPA's authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. The determination to pursue or decline such penalties will be made at a later date.

This facility will be inspected on an annual basis for compliance with the Stage II vapor recovery rule. It is required that you keep record keeping information at a readily available location for inspection. For this Agency, it is requested that you keep copies of the required information at each individual location where all employees can access them.

Thank you for your cooperation and assistance in this matter. If you have any questions, please contact Susan Anderson at 330/375-2480 x6053.

Yours truly,



L. M. Malcolm, PE
Administrator

SA:LMM
Enclosures
Hand Delivered 12/3/08