

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  
FAX: (330) 375-2402

L. M. Malcolm, P.E.  
Administrator

October 16, 2009

Mr. Mustafa Daoud  
Queen's Gas & Save  
813 Lovers Lane  
Akron, OH 44306

Dear Mr. Daoud:

On October 6, 2009, a representative of the Akron Regional Air Quality Management District inspected Queen's Gas & Save (formerly Max's Express) gasoline dispensing facility located at 813 Lovers Lane in Akron to determine compliance with OAC 3745-21-09 (DDD) regarding Stage II vapor recovery. This facility was closed for a long time and it was discovered to be in operation with a new owner on October 6, 2009.

**Inspection results/Deficiencies:**

**Record keeping:** No record keeping was available for review. Queen's Gas & Save is in violation of OAC rule 3745-21-09 (DDD)(3) which specifies the records that are to be kept. A certificate of Stage II training must be obtained and a copy kept with the station's records.

**ARAQMD file:** A review of our records confirms that Stage II testing has not been completed since April 1 2002. Failure to complete Stage II vapor recovery testing is a violation of OAC rule 3745-21-09 (DDD)(2)(c)(d) and the California Air Resources Board (CARB) executive order G-70-150-AE issued for the Gilbarco vapor recovery system installed at this location.

The Ohio EPA Permit to Operate for this facility expired on March 3, 2003. It is a violation of OAC rule 3745-35-02 to operate an air contaminant source without first obtaining a Permit to Operate (PTO). Ohio Revised Code section 3704.05 prohibits any violation of the Ohio Environmental Protection Agency (Ohio EPA) regulations, and provides for civil and criminal penalties for violations. A permit application is enclosed.

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**Within 14 days of receipt** of this letter, you are required to submit an application for the Ohio EPA Permit to Operate for this facility. Also, you are required to obtain Stage II vapor recovery training (list of facilities that provide training enclosed). A copy of the certificate needs to be put in the station record keeping file.

Acceptance of the information requested 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 in this case will be made at a later date.

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

Sincerely,



Susan Anderson  
Sanitarian II

SA  
Enclosures  
Certified Mail