



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. Malcom, P.E.
Administrator

January 19, 2010

Mr. Joseph Moneskey
Gas & Oil, Inc.
1256 Krumroy Road
Akron, OH 44306

Dear Mr. Moneskey:

A representative of the Akron Regional Air Quality Management District (ARAQMD) inspected the following Gas & Oil gasoline dispensing facilities to determine compliance with OAC 3745-21-09 (DDD) regarding Stage II vapor recovery:

<u>Dates</u>	<u>Site</u>	<u>Address</u>	<u>City</u>
6/18/09 & 12/17/09	2	1475 Massillon Road	Akron
7/07/08 & 12/17/09	19	455 W. Turkeyfoot Lake Road	Akron
7/07/08 & 12/17/09	7	1980 S. Arlington Road	Akron

Inspection results/Deficiencies:

<u>Station</u>	<u>Deficiency</u>
2	This facility was found closed at time of inspection. The Ohio EPA Permit to Operate for this facility expired on 9/11/07. Renewal of this permit and compliance with the Stage II rules must be completed before operation.
19	Record keeping: No records were available for review. A certificate of Stage II training must be obtained and a copy kept in the Station file. Gas & Oil, Inc. is in violation of OAC rule 3745-21-09 (DDD)(3), which specifies the records that are to be kept.
	Equipment: This facility passed Stage II vapor recovery testing on 12/23/2009. Test results are to be submitted within 30 days of test's completion.

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<u>Station</u>	<u>Deficiency</u>
19	<p>ARAQMD file: A review of our file for this facility found that Stage II testing was not completed in 2000, 2002, 2003, 2004, 2005, 2006, 2007, or 2008. 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.</p> <p>The Ohio EPA Permit to Operate for this facility expired on 8/13/03. 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. Submit an application immediately.</p>
7	<p>Record Keeping: No records were available for review. A certificate of Stage II training must be obtained and a copy kept in the Station file. Gas & Oil, Inc. dba Kiss Oil is in violation of OAC rule 3745-21-09 (DDD)(3), which specifies the records that are to be kept.</p> <p>Equipment: The hose on dispenser #9 is too long, causing it to lie on the ground. Replace hose with one that is the correct length for the dispenser.</p> <p>ARAQMD file: A review of our records found this facility has not submitted the results of Stage II testing due in 2008 or 2009. This facility is in violation of OAC rule 3745-21-09 (DDD)(2), in which the CARB certification requires testing to be conducted annually not to exceed 12 months of the previous testing.</p>

Mr. Joseph Moneskey
Page 3
January 19, 2010

Correct all deficiencies within 30 days of receipt of this letter. These facilities 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.

Acceptance of correction of deficiencies does not constitute a waiver of this Agency's or the Ohio EPA's authority to seek civil penalties as provided in Section 3704.99 of the Ohio Revised Code. Said penalties are calculated per violation and per day of violation.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Markunas', written in a cursive style.

Frank Markunas
Chief Engineer

SA:FM
Certified Mail
cc Tom Kalman, Ohio EPA
Clint Belcher, Site 19
Elian (Nick) Zayed, Site 7