

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

July 24, 2009

Mr. Jim Shaw
Shaw's Auto Service
70 Graham Road
Cuyahoga Falls, OH 44223

Dear Mr. Shaw:

On July 21, 2009, a representative of the Akron Regional Air Quality Management District (ARAQMD) inspected Shaw's Auto Service gasoline dispensing facility located at 70 Graham Road in Cuyahoga Falls to determine compliance with OAC 3745-21-09 (DDD) regarding Stage II vapor recovery.

Inspection results/Deficiencies:

Record keeping: No records were available for review. **Shaw's Auto Service is in violation of OAC rule 3745-21-09 (DDD)(3) which specifies the records that are to be kept and their availability.**

Equipment: All dispensers were found to be on and operational.

ARAQMD file: According to our records, Stage II testing has not been completed for 2008 or 2009. **Shaw's Auto Service is in violation of OAC rule 3745-21-09 (DDD)(2) which specifies testing requirements for the vapor recovery system installed at this facility.**

Also, the Ohio EPA Permit to Operate for this facility expired on 7/26/07. Ohio Administrative Code 3745-31-02(1)(b) requires issuance of a Permit to Operate (PTO) before any air contaminant source can be operated. 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. To date, this Agency has not received a renewal application (enclosed).

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Mr. Jim Shaw
Page 2
July 24, 2009

Within 21 days of receipt of this letter you are required to submit a renewal application for the Ohio EPA Permit to Operate for this facility, establish a record keeping file on site, and schedule Stage II testing.

Acceptance of the information and/or action 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 me at 330/375-2480 x6053.

Sincerely,



Susan Anderson
Sanitarian II

SA
Certified Mail
Enclosure