



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. Malcom, P.E.
Administrator

January 6, 2010

Mr. Abdul (Abe) Al Musaad
Mr. Elfan (Nick) Zayed
Kiss Oil, Inc.
1980 S. Arlington Street
Akron, OH 44306

Dear Mr. Al Musaad and Mr. Zayed:

SUBJECT: REQUEST FOR EXTENSION ON 2009 STAGE II VAPOR RECOVERY TESTING
FOR GAS & OIL #7 DBA KISS OIL, INC.

This Agency is in receipt of your December 23, 2009, request for an extension of 2009 Stage II testing for the gasoline dispensing facility located at 1980 S. Arlington Street in Akron. **This request has been denied.**

According to our records, Gas & Oil #7 dba Kiss Oil, Inc. has completed Stage II testing as listed below:

3/8/06	full compliance testing
10/27/07	annual testing
2008	no testing completed
2009	no testing completed

Kiss Oil, Inc. is more than two years late in completing Stage II testing and is, therefore, in violation of **OAC rule 3745-21-09 (DDD)(2) which specifies the testing required and its frequency.**

Stage II vapor recovery needs to be completed as soon as possible. Each day operated in violation increases the extent penalties may be incurred.

Acceptance of the testing 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.

If you have any questions, please contact Susan Anderson at 330/375-2480 x6053.

Sincerely,

Frank Markunas
Chief Engineer

SA:FM
Certified Mail
cc Joseph Moneskey, Owner

CITICENTER - SUITE 904

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