



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

June 25, 2008

Mr. Thayer Tave  
Tarrify Property's LLC  
9203 Kinsman Road  
Cleveland, OH 44104

Dear Mr. Tave:

On June 9, 2008, a representative of the Akron Regional Air Quality Management District (ARAQMD) inspected the Kent Clark gasoline dispensing facility located at 706 S. Water Street in Kent to determine compliance with OAC 3745-21-09 (DDD) regarding Stage II vapor recovery.

**Inspection results/Deficiencies:**

Record keeping: The results of Stage II testing due in 2006 were not in the Station file. Incomplete results for 2008 were in the file.

ARAQMD file: A review of our files found that Stage II test results for 2006 were not submitted to this Agency, and testing for 2008 was late. **Tarrify Property's LLC is in violation of OAC rule 3745-21-09 (DDD)(2)(f) which requires the vapor recovery system is tested as required by the CARB certification for the Wayne system installed.** Further testing violations will cause this Agency to seek enforcement action.

Also, the Ohio EPA Permit to Operate for this facility expired on 6/9/08. Ohio Administrative Code 3745-31-02 and 3745-35-02, requires issuance of a Permit to Install (PTI) and 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. Enclosed are the forms necessary to renew the Ohio EPA Permit to Operate. Submit a complete renewal application and EAC Form within 15 days of receipt of this letter.

CITICENTER - SUITE 904

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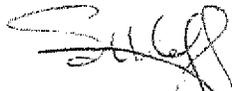
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Please correct any deficiencies noted. This facility will be inspected on an annual basis for compliance with the Stage II vapor recovery rule. It is required that you keep record keeping information at a readily available location for inspection. 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 x4255.

Sincerely,



Steven Stakleff, RS  
Sanitarian II

SA  
Enclosures  
Certified Mail