

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 28, 2008

Mr. Kevin Merritt
Mac's Convenience Stores, LLC
PO Box 347
Columbus, IN 47202-0347

Dear Mr. Merritt:

A representative of the Akron Regional Air Quality Management District (ARAQMD) inspected the following Mac's / Circle K gasoline dispensing facilities to determine compliance with OAC 3745-21-09 (DDD) regarding Stage II vapor recovery:

<u>Date</u>	<u>Station</u>	<u>Address</u>	<u>City</u>
10/24/08	5337	521 Pearl Road	Brunswick 1652010041
10/24/08	5586	11 Cleveland-Massillon Road	Fairlawn 1677000192
10/24/08	5608	273 Darrow Road	Akron 1677010836

Inspection results/Deficiencies:

<u>Station</u>	<u>Deficiency</u>
5337	Record keeping: There was not a certificate of Stage II training for a current employee at this location. ARAQMD file: A review of our records found that we notified you in a letter (certified mail) dated May 3, 2007 of the expiration of the Ohio EPA Permit to Operate for this facility. Mac's Convenience Stores LLC (Circle K #5337) is in violation of Ohio Administrative Code (OAC) rule 3745-35-02 which 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.

CITICENTER - SUITE 904

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<u>Station</u>	<u>Deficiency</u>
5586	Record keeping: There was not a certificate of Stage II training at this location.

Within fourteen (14) days of receipt of this letter, you are to submit a Permit to Operate application to this Agency for Station #5337. I strongly suggest that you review the permit status of all your facilities. **Acceptance of the information 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.**

Please correct the deficiencies noted. 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.

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