



**City of Cleveland**  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
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www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7011 3500 0000 1759 7310  
RETURN RECEIPT REQUESTED**

10/19/12

Jonathan Ross  
Circle K  
315 Commons Mall  
Columbus, IN 47201

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-53-6257**

**RESOLUTION OF VIOLATIONS  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Ross:

On 8/15/12, the Cleveland Division of Air Quality (CDAQ) inspected Circle K #5689 located at 29605 Aurora Rd. in Solon, OH.

On 8/21/12, CDAQ issued a Notice of Violation (NOV) requesting that Circle K #5689 submit: a Permit-to-Install/Operate (PTIO) or Permit by Rule (PBR) Notification Form reflecting change of ownership and installation of new equipment at this location, Stage II Vapor Recovery Test schedule notification, Stage II Vapor Recovery test results and a copy of the Stage II Vapor Recovery Training certificate for the operator or local manager.

On 8/31/12, CDAQ received a PBR Notification Form dated 8/29/12.

On 9/10/12, CDAQ issued a Receipt of Corrective Action (RCAP) indicating you were still expected to comply with submitting a Stage II Vapor Recovery Test schedule notification, Stage II Vapor Recovery test results and a copy of the Stage II Vapor Recovery Training certificate for the operator or local manager by 9/28/12.

On 9/20/12, CDAQ received a second copy of the PBR Notification Form, a copy of the Stage II Vapor Recovery Training Certificate for Jeff Graham and copies of the Stage II Vapor Recovery test results for testing completed on the Wayne Vapor Vac equipment that is no longer installed at the 29605 Aurora Rd. location.

On 9/24/12, CDAQ personnel witnessed Stage II Vapor Recovery testing on the MCS/Gilbarco equipment currently installed at 29605 Aurora Rd. The Static Leak (SL) and Dynamic Pressure (DP) tests both passed. However, dispensers #1, #5 and #6 failed Air to Liquid Ratio (A/L) testing for all grades.

On 10/16/12, CDAQ personnel witnessed successful A/L Ratio re-testing on dispensers #1, #5 and #6 for all grades. An electronic copy of the test results was submitted to CDAQ by the testing company on 10/18/12.



The corrective action plan was received and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

CDAQ issues this letter with Ohio EPA's concurrence and does not excuse any violations of local, state and federal laws or regulations regarding air pollution control. Violations of air pollution control laws may be pursued in local court or referred to Ohio EPA or U.S. EPA for further enforcement action. Should you have any questions, please call Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Circle K #5689: 13-18-53-6257.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White  
Chief of Enforcement, CDAQ

VW/dd *uk*

cc: Jeff Graham, Circle K #5689 Station Manager  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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