



**Environmental
Protection Agency**

John Kasich, Governor
Paul Pappas, Lt. Governor
Scott S. Arnold, Director

November 7, 2012

RE: **CERTIFIED WARNING LETTER**
STAGE II COMPLIANCE TEST
MICKEY MARTS #S 18 & 47
DAPC FACILITY IDs: 0247170525, 0247100712

CERTIFIED MAIL

Mick Coles
Coles Energy
P.O. Box 449
Milan, Ohio 44846

Dear Mr. Coles:

The annual Stage II compliance demonstrations conducted at the following locations failed to demonstrate compliance with the testing requirements of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD):

Mickey Mart #18 located at 508 Route 58 South, Wellington, OH
Mickey Mart #47 located at 199 South Main Street, Oberlin, OH

Testing was performed at the above stations on September 18, 2012, by Dayton Precision Testing and witnessed by this office. Testing for these stations was to be performed by May 2012, but was performed late in violation of OAC Rule 3745-21-09(DDD).

The Stage II vapor control systems at each location appear to be poorly maintained. During the testing at Mickey Mart #18, the static leak test passed, but the A/L testing failed for the first five dispensers so the test was aborted. During the testing at Mickey Mart #47, the static leak test passed, but the A/L testing failed for dispenser nos. 4, 5, & 6. It was also noted that the premium hose on dispenser #4 was leaking gasoline and that the hardware appeared to be in poor condition throughout.

The testing conducted on September 18, 2012, constitutes failure to pass the required testing in violation of OAC Rule 3745-21-09(DDD). To date, no retests have been scheduled. Please make sure that preventative maintenance is performed and schedule retests for each station **within twenty-one (21) days of receipt of this letter**. If retests are not scheduled in this time frame, this office will contemplate referral to Ohio EPA's Central Office for enforcement action.

This letter or information pursuant to this letter does not constitute a waiver of the Ohio Environmental Protection Agency's (EPA) authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case.

MR. MICK COLES
NOVEMBER 7, 2012
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If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1270.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Fischer", with a stylized flourish at the end.

Tim Fischer
Environmental Supervisor
Division of Air Pollution Control

TF:bo