



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, Second Floor  
Cleveland, Ohio 44114-1839  
216/664-2297 • Fax: 216/420-8047  
www.clevelandhealth.org

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

**CERTIFIED MAIL #70122210000052090175  
RETURN RECEIPT REQUESTED**

January 7, 2013

Alpesh Patel  
Sunoco Berea  
16493 Hampton Chase  
Strongsville, OH 44136

**FACILITY ID: 13-18-06-7577**  
**NOTICE OF VIOLATION: Failing Stage II testing**

Dear Mr. Patel:

On December 21, 2012, the Cleveland Division of Air Quality (CDAQ) witnessed Stage II testing at Sunoco Berea located at 640 Prospect in Berea. This letter serves as notification that you are operating a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has determined that Sunoco Berea failed a Stage II Static Leak test on Emission Unit G001: Stage I and Stage II Gasoline Dispensing Facility, Marconi/Gilbarco as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). This is a violation of Ohio Administrative Code Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code Section 3704.05(G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Sunoco Berea schedule, perform and pass all required Stage II testing and submit the test results to the following address within thirty (30) days of receipt of this letter:

Cleveland Division of Air Quality  
75 Erieview Plaza, 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.



Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in Ohio Revised Code Section 3704.99(A), which allows fines of not more than twenty-five thousand dollars or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

CDAQ issues this letter with Ohio EPA's concurrence. The failure to mention any specific violation 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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Sunoco Berea: 13-18-06-7577.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White".

Valencia White  
Chief of Enforcement, CDAQ  
VW/ak

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Brian Dickens, U.S. EPA Region V  
Alpesh Patel, Berea Sunoco, Station Location  
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