



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7012 2210 0000 5209 4678
RETURN RECEIPT REQUESTED**

3/7/13

Naser Najjar
Owner
Giant Petroleum 2, Inc., dba Sunoco
28021 Miles Rd.
Orange, OH 44022

**NON-HIGH PRIORITY FACILITY
NON-HPV**

FACILITY ID: 13-18-14-7944

NOTICE OF VIOLATION: Failure to Pass Annual Air to Liquid Ratio (A/L) Stage II Vapor Recovery Testing on Pumps #3 and #5

Dear Mr. Najjar:

On 3/6/13, the Cleveland Division of Air Quality (CDAQ) inspected Giant Petroleum 2, Inc., dba Sunoco (Sunoco) located at 28021 Miles Rd. in Orange. Annual Stage II Vapor Recovery Testing on emissions unit (EU) G001: Stage I and Stage II Gasoline Dispensing Facility, was also witnessed at this time. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Successful Static Leak (SL), Stage II Vapor Recovery Testing was witnessed. However, the Stage II Vapor Recovery Testing for A/L failed on both pumps #3 and #5 due to vacuum motor malfunctions.

This is a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(1)(c), in that applicable Stage II testing, as contained in OAC Rule 3745-21-09(DDD)(2), did not successfully pass. This is also a violation of your Permit by Rule Notification (PBR) and Ohio Revised Code (ORC) Sections 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 complete necessary repairs to pumps #3 and #5 and conduct A/L Stage II Vapor Recovery Testing. Submit copies of passing A/L test results for pumps #3 and #5 to the following enforcement representative:



Dave DeChant
Cleveland Division of Air Quality
75 Erieview Plaza 2nd 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 (\$25,000) or imprisonment for not more than one year, or both, for each violation.

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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Giant Petroleum 2, Inc., dba Sunoco: 13-18-14-7944.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/dduk

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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