



State of Ohio Environmental Protection Agency

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JUN 08 2004

CERTIFIED MAIL

Ms. Ann Morley
Sunoco, Inc.
Ten Penn Center
1801 Market Street
Philadelphia, PA 19103

Re: Violations of OAC Chapter 3745-31 (Permit-to-Install New Sources of Pollution)

Dear Ms. Morley:

The City of Cleveland's Department of Public Health, Division of Air Quality ("CDAQ"), Ohio EPA's contractual representative in Cuyahoga County, has informed me that Sunoco has installed thirty-one gasoline dispensing facilities ("GDFs") in the Cleveland area without obtaining the proper permits-to-install ("PTIs") pursuant to OAC Chapter 3745-31. Failure to apply for and obtain PTIs prior to the installation of air contaminant sources is in violation of OAC Rule 3745-31-02 and ORC §3704.05(G).

In a Notice of Violation ("NOV") dated October 16, 2003, CDAQ informed Sunoco of these violations and requested that Sunoco submit PTI applications for these GDFs. Sunoco has submitted these applications and Ohio EPA has issued the PTIs for them.

The GDFs included in the NOV were installed in the 1970s and 1980s. Because these violations were only administrative in nature and occurred so long ago, Ohio EPA will not pursue further enforcement action against Sunoco for these violations. However, I strongly urge you to review the status of other GDFs that Sunoco operates in Ohio to assure each was installed and is operating with the proper permits.

If you have any questions concerning this matter, please contact Andrew Shroads at the CDAQ (219-664-2324) or Jim Tichich at Ohio EPA's Division of Air Pollution Control (614-644-4844).

Sincerely,

Christopher Jones
Director

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

Sunoco, Inc.
Director's Warning Letter
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cc: Andrew Shroads, CLAA
Bob Hodanbosi (2 copies), DAPC
Jim Orlemann, DAPC/CO
Jim Tichich, DAPC/CO
Tom Kalman, DAPC
Donald L. Vanterpool, Legal

CJ:JT:jt