OhioEPA

State of Ohio Environmental Protection Agency

Street Address:
1800 WaterMark Drive
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:
P.O. Box 1049
Columbus, OH 43216-1049

06/30/98

CERTIFIED MAIL

15-76-00-1507

RE: Final Chapter 3745-35 Permit To Operate

Dairy Mart #5326
Richard Prather
205 S. Hoover Blvd.
Suite 101
Tampa, FL 33609

JUL 9 1998

Dear Richard Prather:

The enclosed Permit(s) to Operate allow you to operate the described emissions unit(s) in the manner indicated in the Permit(s). Because each permit contains several terms and conditions, I urge you to read them carefully.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street
Room 300
Columbus, Ohio 43215

If you have any questions, please contact the Canton Division of Air Pollution Control at (216) 489-3385.

Very truly yours,

Thomas G. Rigo

Thomas G. Rigo, Manager
Field Operations and Permit Section
Division of Air Pollution Control

cc: Canton Division of Air Pollution Control

OhioEPA

PERMIT TO OPERATE AN EMISSIONS UNIT

Effective Date: 06/30/98

Facility ID: 15-76-00-1507

Expiration Date: 06/30/03

FINAL ISSUE

This document constitutes issuance for:

Dairy Mart #5326
4235 Middlebranch NE
Canton, OH 44705

of a permit to operate for:

G001 (GDF)
Gasoline Dispensing Facility

PART I General Terms & Conditions

1. Compliance Requirements

The above-described emissions unit is and shall remain in full compliance with all applicable State and federal laws and regulations and the terms and conditions of this permit.

2. Permit to Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.

3. Reporting Requirements Related to Monitoring and Recordkeeping Requirements

The permittee shall submit required reports in the following manner:

a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quar terly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

4. **Records Retention Requirements**

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of three years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Such records may be maintained in computerized form.

5. **Inspections and Information Requests**

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State and federal air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

6. **Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions unit or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of this emissions unit(s) that is (are) served by such control system(s).

7. **Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permittee. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

8. **Air Pollution Nuisance**

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

9. **Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. If you are not contacted, please contact the appropriate Ohio EPA District Office or local air agency. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received.

The following Ohio EPA District Office or local air agency has jurisdiction in the area in which the facility is located:

Canton Division of Air Pollution Control
420 Market Avnue N.
Canton, OH 44702-1544
(216) 489-3385

You will be contacted approximately six months prior to expiration date regarding the renewal of this permit. If you are not contacted, please contact the Canton Division of Air Pollution Control.

10. The permittee is also subject to the attached special terms and conditions.

OHIO ENVIRONMENTAL PROTECTION AGENCY

Donald R. Schregardus

Director

Part II: Special Terms and Conditions

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/ Requirements	Applicable Emissions Limitations/Control Measures
Gasoline Storage Tanks: three (3) 8,000 gallon underground storage tanks.	OAC 3745-21-09(R)	Stage I vapor control - 90% control efficiency for volatile organic compounds (VOC's), submerged fill.
Gasoline Storage Tanks: three (3) 8,000 gallon underground storage tanks.	PTI #15-229	Stage I vapor control - 90% control efficiency for VOC's, submerged fill with 2.66 tons per year of volatile organic compound emissions.

2. **Additional Terms and Conditions**

None

B. Operational Restrictions

1. The permittee shall comply with the following operational restrictions for the Stage I vapor control system:

a. The vapor balance system shall be kept in good working order and shall be used at all times during the transfer of gasoline.

b. There shall be no leaks in the delivery vessel pressure/vacuum relief valves and hatch covers.

c. There shall be no leaks in the vapor liquid lines during the transfer of gasoline.

d. The transfer of gasoline from a delivery vessel to a stationary storage tank shall be conducted by use of submerged fill into the storage tank. The submerged fill pipe(s) are to be installed so they are within six (6) inches of the bottom of the storage tank.

e. All fill caps shall be "in place" and clamped during normal storage conditions.

f. The permittee shall repair within 15 days any leak from the vapor balance system or vapor control system which is employed to meet the requirements of paragraph (R)(1) of OAC rule 3745-21-09 when such leak is equal to or greater than 100 percent of the lower explosive limit as propane, as determined under paragraph (K) of OAC rule 3745-21-10.

C. Monitoring and/or Record Keeping Requirements

1. Stage I recordkeeping requirements

The permittee shall maintain records of the following information:

a. The results of any leak checks, including, at a minimum, the following information:

i. Date of inspection.

ii. Findings (may indicate no leaks discovered or location, nature, and severity of each leak).

iii. Leak determination method.

iv. Corrective action (date each leak repaired and reasons for any repair interval in excess of 15 calendar days).

v. Inspector's name and signature.

D. Reporting Requirements

1. Stage I reporting requirements

   Any leak from the vapor balance system or vapor control system that is not repaired within 15 days after identification shall be reported to the Director within 30 days after the repair is completed.

E. Testing Requirements

None

F. Miscellaneous Requirements

None