



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 7012 2210 0000 5209 3121
RETURN RECEIPT REQUESTED**

May 2, 2013

Karen Dilley
10300 Brookpark Brooklyn, LLC
702 Hamilton St. Ste. 203
Allentown, PA 18101

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-10-6947

RE: 10300 Brookpark Road

NOTICE OF VIOLATION: Failure provide proof of attendance and completion of Stage II vapor recovery training: Failure to maintain required records

Dear Ms. Dilley:

On April 30, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Lehigh Gas, OHLG-UST1, LLC dba 10300 Brookpark Brooklyn, LLC (10300 Brookpark Brooklyn, LLC) located at 10300 Brookpark Road in Brooklyn. 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.

10300 Brookpark Brooklyn, LLC failed to provide a Stage II compliance specialist certificate at the time of the inspection. This is a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(3)(a)(vi), which states that any owner or operator of a gasoline dispensing facility must provide proof of attendance and completion of training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility.

Also, 10300 Brookpark Brooklyn, LLC failed to maintain a copy on site of the most recently issued operating permit from the Ohio EPA. This is a violation of OAC Rule 3745-21-09(DDD)(3)(v). A copy of the most recently issued permit was mailed directly to 10300 Brookpark Road by CDAQ on April 30, 2013.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that 10300 Brookpark Brooklyn, LLC complete the necessary training and then submit proof of attendance and completion of training to the following enforcement representative within fourteen (14) days of receipt of this letter:



Megan Murphy
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within fourteen (14) days of receipt of this letter.

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for 10300 Brookpark Brooklyn, LLC: 13-18-10-6947.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/mm **lx**

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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encl: List of Stage II training providers