



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 3626
RETURN RECEIPT REQUESTED**

June 27, 2013

Imad Tabanja
Owner
South Taylor Shell
1895 S. Taylor Rd.
Cleveland Heights, OH 44118-2160

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-16-5986

NOTICE OF VIOLATION: Failure to submit annual permit evaluation reports

Dear Mr. Tabanja:

On June 20, 2013, the Cleveland Division of Air Quality (CDAQ) inspected South Taylor Shell located at 1895 S. Taylor Road in Cleveland Heights. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

South Taylor Shell's operation of emissions unit G002: gasoline dispensing facility, is in violation Ohio Administrative Code Rule 3745-15-03(D), Ohio Revised Code (ORC) Section 3704.05(C) and (D), and Permit-to-Install/Operate (PTIO) No. P0095264, Parts A, 7 and C, 1, e, 1 for the failure to submit annual Permit Evaluation Reports (PERs) for the reporting period of 6/17/2011 (the effective date of your PTIO) through 9/30/2011 - due November 15, 2011; and, for the reporting period of 10/01/2011 through 9/30/2012 - due November 15, 2012. The outstanding PER forms are included with this letter.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that South Taylor Shell submit the 2011 and 2012 PERs to the following address:

Permitting Section
Cleveland Division of Air Quality
75 Erievue Plz., Fl. 2
Cleveland, OH 44114-1839



Your written response to this letter or completed PERs must be received by CDAQ within fourteen (14) 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.

CDAQ is in receipt of South Taylor Shell's permit-by-rule notification form as of June 21, 2013, with an effective date of June 24, 2013. However, please note that a 2013 PER will be due on November 15, 2013, for the reporting period of 10/01/2012 through 6/23/2013 (the date your PTIO was revoked). Your PTIO was still in effect at this time and, as such, a completed PER will be due.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC Section 3704.99(A), which allows fines of not more than \$25,000 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 the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or 614/644-3469 or 800/329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for South Taylor Shell: 13-18-16-5986.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/dlw

 cc: Wanda Fares-Tabel, Manager, South Taylor Shell
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
L:\Data\Facilities\1318165986\2013-06-20 NOV.docx

encl: 2011 PER and 2012 PER
PTIO Revocation Letter from Ohio EPA