



**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 0922  
RETURN RECEIPT REQUESTED**

July 26, 2013

Tony Bougebrayel  
Owner  
B&H Resources, LLC (dba Easy Flo Gas)  
28925 Lorain Road  
North Olmsted, Ohio 44070

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-37-7939**

**NOTICE OF VIOLATION: Operating without a permit.**

Dear Mr. Bougebrayel:

On July 23, 2013, the Cleveland Division of Air Quality (CDAQ) inspected B&H Resources, LLC, dba Easy Flo Gas (Easy Flo Gas) located at 28925 Lorain Road in North Olmsted. 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.

Easy Flo Gas's operation of Emission Unit (EU) G001: Stage I and Stage II Gasoline Dispensing Facility: Wayne is in violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1), and Ohio Revised Code (ORC) Section 3704.05(F) and (G), for operating an emission source without first applying for and obtaining a Permit-to-Install/Operate (PTIO) or by submitting a Permit-by-Rule (PBR) notification form. Easy Flo Gas has been operating in violation since August 2012.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Easy Flo Gas submit either a PTIO application or a PBR notification form for EU G001 within thirty (30) days of your receipt of this letter to the following address:

Permit Section  
Cleveland Division of Air Quality  
75 Erievue Plaza 2<sup>nd</sup> 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.

The appropriate permit application(s) and supplemental form(s) can be found at:

<http://www.epa.state.oh.us/dapc/pbr/permitbyrule.aspx>

<http://www.epa.state.oh.us/dapc/fops/eac/eacforms.aspx>

Please note that all permit applications submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided.

Permit-to-install/operate (PTIO) applications may be completed through the Ohio EPA eBusiness Center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

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.

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.

OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.

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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for B&H Resources, LLC, dba Easy Flo Gas: 13-18-37-7939.

Sincerely,

*Valencia White for VW*

Valencia White  
Chief of Enforcement, CDAQ

VW/BS

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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