



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 7011 2000 0002 6936 3433  
RETURN RECEIPT REQUESTED**

August 12, 2013

David Nye  
General Manager, Environmental Affairs  
True North Energy  
10346 Brecksville Rd.  
Brecksville, OH 44141-3338

**NON-HIGH PRIORITY FACILITY**

**RE: 13030 Brookpark Road (Cleveland)  
FACILITY ID: 13-18-00-6845  
RESOLUTION OF VIOLATIONS  
NOTICE OF VIOLATION + NOTICE OF VIOLATION FOLLOW-UP LETTER: Failure to promptly submit a permit-by-rule notification form after modifying an emissions unit**

Dear Mr. Nye:

On July 24, 2013, the Cleveland Division of Air Quality (CDAQ) inspected True North Energy #373 (True North) located at 13030 Brookpark Road in Cleveland. This letter serves as notification that you operated a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

True North installed new dispensers for emissions unit G001: gasoline dispensing facility with Stage I and II vapor recovery system in November of 2005. A permit-to-install/operate application or a PBR notification form was supposed to be submitted prior to its modification. CDAQ did not receive the permit-by-rule (PBR) notification form for this modification until August 5, 2013. This was a violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A) and Ohio Revised Code (ORC) Sections 3704.05 (F) and (G).

Appropriate steps were taken to bring the gasoline dispensing facility into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

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.



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 True North #373: 13-18-00-6845.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White".

Valencia White  
Chief of Enforcement, CDAQ

VW/dlw

 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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