


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 4937
RETURN RECEIPT REQUESTED**

8/28/13

Lorrie Brecker
Lehigh Gas Corporation
OHLG-UST1 dba 10202 Lorain Cleveland, LLC
702 Hamilton St., Suite 203
Allentown, PA 18101

NON-HIGH PRIORITY FACILITY

RE: 10202 LORAIN AVENUE

FACILITY ID: 13-18-00-6926

NOTICE OF VIOLATION: Failure to pass Stage II Vapor Recovery Testing

Dear Ms. Brecker:

On 8/26/13, the Cleveland Division of Air Quality (CDAQ) received notification from Tank Integrity Services, Inc. that OHLG-UST1 dba 10202 Lorain Cleveland, LLC located at 10202 Lorain Ave. in Cleveland had failed to successfully pass Stage II Vapor Recovery Testing on 6/26/13. And, that no retesting has been scheduled. 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.

10202 Lorain Cleveland, LLC is operating emissions unit, G001: Gasoline Dispensing Facility with Stage II vapor controls, in violation of Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(1)(c), in that applicable Stage II testing, as contained in OAC rule 3745-21-09(DDD)(2), has not successfully passed.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that 10202 Lorain Cleveland, LLC schedule and retest the Static Leak (SL) and Air to Liquid Ratio (A/L) Stage II Vapor Recovery tests and, submit the test results within thirty (30) days to the following enforcement representative:

Dave DeChant
Cleveland Division of Air Quality
75 Erieview Plaza, 2nd 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.

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 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for 10202 Lorain Cleveland, LLC: 13-18-00-6926.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/dd

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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