



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 #70122210000052090663
RETURN RECEIPT REQUESTED**

September 27, 2013

Elias Kassouf
Prime Properties Ltd. (Prime #11)
1370 West 6th Street, Suite 206
Cleveland, Ohio 44113

NON-HIGH PRIORITY FACILITY

**RE: PRIME #11, 7411 STATE ROAD, PARMA, OH
FACILITY ID: 13-18-45-6754
NOTICE OF VIOLATION: Operating without a permit**

Dear Mr. Kassouf:

On August 28, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Prime Properties Ltd. #11 (Prime #11) located at 7411 State Road in Parma. 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.

Prime #11's operation of Emission Unit (EU) G001: Gasoline Dispensing Facility is in violation of Ohio Administrative Code (OAC) Rule 3745-31-02(A)(1), and Ohio Revised Code (ORC) Sections 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. A PTIO or PBR notification form is required to operate your gasoline dispensing facility and must accurately identify the owner, facility contact, and the equipment installed.

On August 29, 2013, CDAQ received an electronic copy of a PBR notification form for Prime #11; however, all permit applications must be submitted to CDAQ as a hard copy that includes original signatures.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Prime #11 submit a signed hardcopy PBR notification form for EU G001 to the following address:

Permit Section
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.

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.

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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Prime Properties Ltd. #11: 13-18-45-6754.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ak

cc: Dave Allison, Prime Properties Ltd.
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: PBR notification form