



City of Cleveland
Frank C. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL : 7009 3410 0002 1983 7885
RETURN RECEIPT REQUESTED**

February 17, 2010

Mr. Mark Mustafa
Denison Gas USA
12808 Bellaire Road
Cleveland, Ohio 44111

FACILITY ID: 13-18-00-6895

RECEIPT OF CORRECTIVE ACTION PLAN: Failing annual stage II compliance test, and failure to obtain a 2009 city permit

Dear Mr. Mustafa:

On December 30, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting Denison Gas USA to make necessary repairs on dispenser #1, then to re-test for the Air-to-Liquid (A/L) ratio; to submit the December 15, 2009, test results, and the re-test results within thirty (30) days from their respective test dates; and to obtain a 2009 city permit by submitting city permit fees. CDAQ is in receipt of both the original and retest results dated January 14, 2010.

You are still expected to obtain 2009 city permits by submitting city permit fees to the following address within fourteen (14) days of receipt of this letter:

City Permit Fee Invoices
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action.

CDAQ issues this letter with Ohio EPA's concurrence and 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 Denison Gas USA: 13-18-00-6895.

Sincerely,

George Baker
Chief of Enforcement, CDAQ

GB/BS

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318006895\2009-12-15 RCAP.docx

encl: 2009 City Permit Fee Invoice