



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Suite 200
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 7003 1010 0004 2923 6929
RETURN RECEIPT REQUESTED**

June 8, 2011

Gregg Budoi
EZ Energy No. 2413
4141 Rockside Road, Suite 400
Seven Hills, OH 44131

FACILITY ID: 13-18-00-6913

**NOTICE OF VIOLATION: Failure to maintain applicable Stage II testing records;
failure to have an employee trained in operating and maintaining Stage II control
equipment**

Dear Mr. Budoi:

On June 3, 2011, the Cleveland Division of Air Quality (CDAQ) inspected EZ Energy No. 2413 located at 1035 E. 185th Street in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has determined that EZ Energy No. 2413 has failed to maintain results of Stage II vapor control testing and proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility, as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(3). These are violations of OAC Rule 3745-21-09(DDD)(3) and Ohio Revised Code Section 3704.05(G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that EZ Energy No. 2413 submit a corrective action plan addressing the correction of the violations listed above, to the following enforcement representative:

Valerie Shaffer
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 fourteen (14) 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 Valerie Shaffer at (216) 287-2713. All correspondence with CDAQ must include the Ohio EPA facility identification number for EZ Energy No. 2413: 13-18-00-6913.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager

LK/vls

cc: Laurel Unrue, District Manager, EZ Energy No. 2413
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318006913\2011-06-03 NOV.docx

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

E2 Energy #2413
attn: Guy Budoi
4141 Rockside Rd, Suite 400
Seven Hills, OH 44131

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Address

B. Received by (Printed Name) C. Date of Delivery

[Signature] **X**

D. Is delivery address different from item 1? Yes
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 Certified Mail Express Mail
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2. Article Number (Transfer from service label) 7003 1010 0004 2923 6929