

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:

Cheryl Anderson
Lehigh #256
1425 Mountain Dr. N
Bethlehem, PA 18015

2. Article Number
(Transfer from service label)

7003 1010 0004 2923 6004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Eileen Stator Agent
 Addressee

B. Received by (Printed Name) *Rileen Watson* C. Date of Delivery *6/17/11*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 6004
RETURN RECEIPT REQUESTED

June 14, 2011

Cheryl Anderson
Lehigh #256
1425 Mountain Dr. North
Bethlehem, PA 18015

NON-HPV

FACILITY ID: 13-18-27-6971
NOTICE OF VIOLATION : Failing annual Stage II testing

Dear Ms. Anderson:

On June 8, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Lehigh #256/ 5200 Rockside, LLC (Lehigh #256) located at 5200 Rockside Road in Independence. 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 witnessed annual Stage II testing on June 8, 2011. Lehigh #256 passed a Static Leak test at this time. The Air-to-Liquid Ratio (A/L) test passed on dispensers #1, #2, #3, #5, #6, #7, #8, #9, and #10. The A/L test failed on dispenser #4 due to a malfunctioning vac motor. The failure to successfully pass the testing requirements in Ohio Administrative Code (OAC) Rule 3745-21-09 (DDD)(2) while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle are violation of Ohio Revised Code (ORC) Section 3704.05(G) and OAC Rule 3745-21-09 (DDD)(1)(b) and (c).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Lehigh #256 complete the necessary repairs to dispenser #4, conduct a re-test of the Air-to-Liquid Ratio test, and then submit test results within thirty (30) days of receipt of this letter to the following enforcement representative:

Megan Murphy
Cleveland Division of Air Quality
75 Erievue Plaza 2nd Floor
Cleveland, Ohio 44114-1839



If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within thirty (30) days of receipt of this letter.

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Lehigh #256: 13-18-27-6971.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/mm

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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