



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

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

**CERTIFIED MAIL 7002 0510 0002 2427 6723
RETURN RECEIPT REQUESTED**

April 27, 2007

Jon Wesolowski
BP Products North America, Incorporated No. 22435
20429 Colleen Court
Strongsville, Ohio 44149

**FACILITY ID: 1318597033
NOTICE OF VIOLATION: FAILURE TO CONDUCT STAGE II TESTS**

Dear Mr. Wesolowski:

On March 8, 2007, the Cleveland Division of Air Quality (CDAQ) inspected BP Products North America, Incorporated No. 22435 (formerly BP Amoco Company #22435) located at 4591 Richmond Road in Warrensville Heights. 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 BP Products North America, Incorporated No. 22435 failed to perform a Dynamic Pressure test, an Air-to-Liquid Ratio test, and a Static Leak test as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). This is a violation of permit-to-install #13-4464, Ohio Administrative Code Rule 3745-31-05(A)(3), 3745-21-09(DDD)(2), and Ohio Revised Code Section 3704.05(C) and (G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests BP Products North America, Incorporated No. 22435 to submit a corrective action plan to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland, Ohio 44114-2080

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.

Facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production can contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518 and there is no charge for their services.

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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for BP Products North America, Incorporated No. 22435 (formerly BP Amoco Company #22435): 1318597033.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White for GB".

George Baker
Chief of Enforcement, CDAQ

GB/ms

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Facility File and L:\Data\Facilities\1318597033\2007-04-23 NOV.doc