



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 7010 1870 0000 6591 4841
RETURN RECEIPT REQUESTED**

June 8, 2012

Abraham Odetallah
Owner
Shell Family Foods Express
19300 Hilliard Boulevard
Rocky River, Ohio 44116

NON-HPV

FACILITY ID: 13-18-50-6828
NOTICE OF VIOLATION: Failing annual Stage II compliance test

Dear Mr. Odetallah:

On May 29, 2012, the Cleveland Division of Air Quality (CDAQ) witnessed the annual Stage II compliance test at Shell Family Foods Express located at 19300 Hilliard Boulevard in Rocky River. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

On May 29, 2012, Shell Family Foods Express failed their annual Static Leak test for Emission Unit G001: Stage I and Stage II Gasoline Dispensing Facility. 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 is a violation of OAC Rule 3745-21-09(DDD)(1)(c), and Ohio Revised Code (ORC) 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 Shell Family Foods Express make the necessary repairs, then re-test the Static Leak and Air-to-Liquid ratio tests and submit all test results within thirty (30) days from their respective test dates as stipulated in OAC Rule 3745-21-09(DDD)(2)(c) to the following enforcement representative:

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839



If there is insufficient time to correct the alleged violations within this timeframe, a written response must be received within thirty (30) days of your receipt of this letter that includes 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Shell Family Foods Express: 13-18-50-6828.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/BS LK

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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