



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 0780 0002 6936 3099
RETURN RECEIPT REQUESTED

May 3, 2012

Arthur Hendricks
Arthur's Shell
15400 Euclid Ave.
East Cleveland, OH 44112-2808

NON-HPV

FACILITY ID: 13-18-18-6788

NOTICE OF VIOLATION: Failure to complete Stage II Vapor Recovery System Tests

Dear Mr. Hendricks:

On April 24, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Arthur's Shell located at 15400 Euclid Avenue in East Cleveland. This letter serves as notification that you are operating a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ determined that Arthur's Shell failed to perform an Air-to-Liquid Ratio (A:L) test and a Static Leak (S/L) test at the interval stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). The S/L and A:L tests should have been completed by September 10, 2011. This is a violation of Ohio Administrative Code 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. Within 30 days of receipt of this letter CDAQ requests that you conduct the S/L and A:L tests and submit the test results to the following enforcement representative:

David Wagner
Cleveland Division of Air Quality
75 Erieview Plz., Fl. 2
Cleveland, OH 44114-1839



If there is insufficient time to correct the alleged violations within this timeframe, a written response that includes a timeline for correcting the alleged violations must be received within 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 ORC Section 3704.99(A), which allows fines of not more than \$25,000 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for Arthur's Shell: 13-18-18-6788.

Sincerely,

A handwritten signature in black ink, appearing to read "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/dlw *LK*

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318186788\2012-04-24 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: —18— NOV

ARTHUR HENDRICKS
ARTHURS SHELL
15400 EUCLID AVE
EAST CLEVELAND OH

2. Article Number
(Transfer from s: 7011 2000 0002 6936 3099)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Arthur Hendricks Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
5/5/12

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