

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL : 7009 3410 0002 1934 1677
RETURN RECEIPT REQUESTED

July 11, 2011

Chris Forest
Forest and Associates, Inc.
11521 Clifton Blvd.
Cleveland, Ohio, 44102

NON-HPV

FACILITY ID: 13-18-00-5793

NOTICE OF VIOLATION : Failing annual Stage II compliance test.

Dear Mr. Forest:

On July 8, 2011, the Cleveland Division of Air Quality (CDAQ) witnessed the annual Stage II compliance test at Clifton EZ Shop located at 11521 Clifton Boulevard 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.

On July 8, 2011, Clifton EZ Shop failed their annual Air-to-Liquid (A/L) Ratio test for pumps #2, #3, and #4. The failure to successfully pass the testing requirements is in violation of 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, Ohio Revised Code (ORC) Section 3704.05 (G), and OAC Rule 3745-21-09 (DDD)(1)(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 Clifton EZ Shop make the necessary repairs, then re-test and submit the July 8, 2011, test results, and the re-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 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 Clifton EZ Shop: 13-18-00-5793.

Sincerely,

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/BS

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