



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 7009 3410 0002 1933 7601  
RETURN RECEIPT REQUESTED**

7/8/11

Ernest LaManna, Jr.  
West Park Shell  
13960 Lorain Ave.  
Cleveland, OH 44111

**FACILITY ID: 13-18-00-6857**

**RECEIPT OF CORRECTIVE ACTION PLAN: FAILURE TO USE CALIFORNIA AIR  
RESOURCES BOARD (CARB) CERTIFIED COMPONENTS**

Dear Mr. LaManna:

On 6/1/11, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that West Park Shell install a CARB certified breakaway between the whip and nozzle hose on pump #7, complete replacement of damaged dispensers #3 and #4, then provide documentation of the completed installation.

CDAQ is in receipt of a paid invoice for the installation of dispensers #3 and #4, along with a narrative statement that the CARB approved breakaway would be replaced on 6/30/11 dated 6/29/11. You are expected to comply with providing verification of the breakaway installation and completion of annual Stage II Vapor Recovery testing by 7/29/11. Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action.

Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action. Please submit any future correspondence related to this matter to the following enforcement representative:

Dave DeChant  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839

CDAQ issues this letter with Ohio EPA's concurrence and 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for West Park Shell: 13-18-00-6857.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy

Field Enforcement Manager, CDAQ

LK/dd

cc: John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
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