



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
75 Erieview Plaza, Suite 200  
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 7006 2760 0000 3705 2654  
RETURN RECEIPT REQUESTED

March 26, 2009

David Nye  
TrueNorth  
3711 LeHarms Road  
Youngstown, OH 44515

FACILITY ID: 13-18-00-6858  
NOTICE OF VIOLATION: Failure to Perform Dynamic Pressure Test  
RE: 17212 Lorain Avenue, Cleveland, OH 44111

Dear Mr. Nye:

On March 26, 2009, the Cleveland Division of Air Quality (CDAQ) inspected True North Energy location #375 located at 17212 Lorain Avenue 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.

CDAQ has determined that True North Energy Location #375 failed to perform a Dynamic Pressure test as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). This is also a violation of Ohio Revised Code Section 3704.05(G). The last Dynamic Pressure test passed on January 14, 2004.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that True North Energy location #375 submit a corrective action plan to the following enforcement representative:

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

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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through 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. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for True North Energy location #375: 13-18-00-6858.

Sincerely,

Valencia White  
Field Enforcement Manager, CDAQ

VW/AM

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holsher, USEPA  
Facility File and L:\Data\Facilities\1318006858\2009-3-26 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.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 *J. Thiede*  Address

B. Received by (Printed Name) C. Date of Delivery  
*J. Thiede* 4-7-01

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

1. Article Addressed to: — 00-6858  
 David Nye  
 True North  
 3711 LeHarps Road  
 Youngstown, OH 44515

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Transfer from service label) 7006 2760 0000 3705 2654