



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7002 2030 0001 1808 9364
RETURN RECEIPT REQUESTED**

10/25/10

Raed Hamdan
Carnegie Energy
900 Carnegie Ave.
Cleveland, OH 44115

**FACILITY ID: 13-18-00-6884
NOTICE OF VIOLATION: Failure to pass Stage II Testing**

Dear Mr. Hamdan:

On 10/13/10, the Cleveland Division of Air Quality (CDAQ) witnessed testing at Carnegie Energy located at 900 Carnegie 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.

Carnegie Energy conducted a Static Leak (SL) test on 10/13/10. The SL test failed at this time and additional Stage II testing was not conducted. The failure to successfully pass the testing requirements specified 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 Ohio Revised Code (ORC) Chapter 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 Carnegie Energy complete necessary repairs, then conduct a re-test of the Static Leak test along with additional Stage II testing. Submit test results to the following enforcement representative within thirty (30) days of receipt of this letter.

Dave DeChant
Cleveland Division of Air Quality
75 Erievue Plaza 2nd Floor
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, submit a written response which includes a timeline for correcting the alleged violations within thirty (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 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Carnegie Energy: 13-18-00-6884.

Sincerely,

Linda Kimmy for G.B.

George Baker
Chief of Enforcement

GB/dd

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Facility File and L:\Data\Facilities\1318006884\2010-10-13 NOV.doc

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:

Raed Hamdan
 Carnegie Energy
 900 Carnegie Ave.
 Cleveland, OH 44115

2. Article Number
(Transfer from service label)**COMPLETE THIS SECTION ON DELIVERY**A. Signature
 Agent
 Addressee

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

D. Is delivery address different from item 1?
 If YES, enter delivery address below:3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.4. Restricted Delivery? (Extra Fee) Yes

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PS Form 3811, February 2004

Domestic Return Receipt

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