



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 7003 1010 0004 2923 6172
RETURN RECEIPT REQUESTED**

September 2, 2011

Mufed Kirresh
Three Brothers Gas, LLC dba GAS USA
4126 Pearl Road
Cleveland, OH 44144

FACILITY ID: 13-18-00-7057

NOTICE OF VIOLATION: Failure to conduct and provide copy of Stage II training certificate as required by Ohio EPA for the owner/operator of a gasoline dispensing facility

Dear Mr. Kirresh:

On August 18, 2011, the Cleveland Division of Air Quality (CDAQ) inspected GAS USA located at 4126 Pearl Road 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.

GAS USA is in violation of Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(3)(a)(vi), in that, you were unable to provide proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of your Stage II gasoline dispensing facility (GDF) during CDAQ's inspection. This is also a violation of Ohio Revised Code Chapter 3704.05(G). Per your request, CDAQ is including a list of companies that provide the required Stage II training with this letter.

In addition, CDAQ is requesting the replacement of gasoline dispensing hoses on pumps 3, 4, and 5, which showed significant signs of wear during CDAQ's visual inspection of each dispenser on August 18, 2011.

Furthermore, CDAQ is requesting the completion of an updated permit-by-rule (PBR) notification form, as you are the new owner of GAS USA. During CDAQ's inspection, you stated that you took ownership of GAS USA on January 5, 2011. A PBR notification form is included with this letter.

Please also note that you are responsible for obtaining a City of Cleveland permit-to-operate by submitting City of Cleveland Air Contaminant fees for 2011, for the operation of your GDF. A copy of the 2011 City of Cleveland Air Contaminant Source invoice is also included with this letter.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that GAS USA replace dispensing hoses on pumps 3, 4, and 5; complete a PBR notification form, and complete the required Stage II training and submit the appropriate certificate as required by Ohio EPA, within thirty (30) days of receipt of this letter, to the following enforcement representative:

Valerie Shaffer
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

CDAQ also requests that GAS USA obtain a City of Cleveland permit-to-operate by submitting City of Cleveland Air Contaminant fees for 2011, within thirty (30) days of receipt of this letter to the following address:

City Permit Fee Invoices
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 response which includes a timeline for correcting the alleged violations must be received by the enforcement representative listed above within thirty (30) days of your receipt of the this letter.

The appropriate PBR notification form is included with this letter. Please note that the notification form submitted to CDAQ must include an original signature. Photocopied signatures are not valid; the notification form will not be accepted by CDAQ and will be returned to you if an original signature is not provided.

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 the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.



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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for GAS USA: 13-18-00-7057.

Sincerely,

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

Linda Kimmy
Field Enforcement Manager

LK/vls

cc: Mike Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318007057\2011-0818 NOV.docx

encl: List: Companies Providing Training and Testing for Stage II Vapor Control
Systems
PBR Notification Form & Instructions
2011 City of Cleveland Air Contaminant Fee Invoice

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:

GAS USA
 Attn: Muted Kienesh
 4126 Pearl Road
 Cleveland, OH 44144

2. Article Number
(Transfer from service label)

7003 1010 0004 2923 6172

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X: *Samir Radoh* Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

X: SAMIR RADOH 9-17-

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

TANK INTEGRITY SERVICES, INC.

certifies

Mufeed K. Kirresh

has completed the certification course entitled

STAGE II VAPOR RECOVERY

This certificate, awarded the 12th day of January, 2005

is given in recognition of the successful

completion of the 8 Hour Training Course.

CERTIFIED BY:



Dennis J. Oberdove

CERTIFICATION NUMBER: 0112051012