



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 7009 3410 0002 1934 0595
RETURN RECEIPT REQUESTED**

August 3, 2010

Ali Faraj
209 E Bridge, LLC
3585 West 117th St.
Cleveland, OH 44111

NON-HPV

FACILITY ID: 13-18-00-7319

SECOND NOTICE OF VIOLATION : Operating an air emissions unit without obtaining a permit-to-install/operate (PTIO); Failure to provide proof of attendance and completion of training required by Ohio EPA; Failure to conspicuously post "Do Not Top Off" instructions

Dear Mr. Faraj:

On May 27, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation letter to 209 E Bridge, LLC dba Q's Gas-N-Go (209 E Bridge, LLC). This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

209 E Bridge, LLC is operating a gasoline dispensing facility without obtaining a PTIO permit or submitting a Permit-by-Rule (PBR) Notification form since May 5, 2010. This is a violation of Ohio Revised Code (ORC) 3704.05 (G) and Ohio Administrative Code (OAC) 3745-31-02(A).

209 E Bridge, LLC failed to provide a Stage II compliance specialist certificate at the time of the inspection. This is a violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi) which states; that any owner or operator of a gasoline dispensing facility must provide proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility.

Unless you undertake some type of corrective action you will remain in noncompliance. CDAQ requests that 209 E Bridge, LLC submit a PTIO application or a PBR Notification Form within thirty (30) days to the following address:



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

CDAQ also requests that 209 E Bridge, LLC submit a copy Stage II compliance specialist certificate for 209 E Bridge, LLC once the required training has been completed within 30 days of receipt of this letter to the following enforcement representative:

Megan Murphy
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, OH 44114-1839

In addition, CDAQ requests 209 E Bridge, LLC post operating instructions on each dispenser within thirty (30) days of receipt of this letter.

If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within thirty (30) days of receipt of this letter.

Please be aware that the owner or operator of a gasoline dispensing facility is required to maintain a log of the date and description of all repair and maintenance work and retain those records for a period of not less than three years per Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(3)(iii) and OAC Rule 3745-21-09(DDD)(3)(b).

The PTIO application form with accompanying Emission Activity Category (EAC) form may be downloaded at the following web address:
<http://epa.ohio.gov/dapc/fops/eac/eacforms.aspx>

In addition, 209 E Bridge, LLC may be eligible for the Permit-by-Rule (PBR) exemption. This exemption is based on monthly and annual throughput amounts. More information about the PBR Notification form can be found at the following web address: <http://www.epa.state.oh.us/dapc/pbr/permitbyrule.aspx>.

Please review the PBR Requirements for gasoline dispensing facilities to determine if 209 E Bridge, LLC meets the criteria for this exemption. A PBR Notification form is enclosed with this letter.

Please note that all permit applications or PBR Notification forms submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are 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.

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for 209 E Bridge, LLC : 13-18-00-7319.

Sincerely,

Linda Kimmy for G.B.
George Baker
Chief of Enforcement

GB/mm

cc:

Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318007319\2010-4-21 2nd 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.

Article Addressed to:

Ali Faraj
69 E Bridge, LLC
158 S W. 117th St.
Ovland, OH 44111

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
Ali Faraj

B. Received by (Printed Name)
ALI

C. Date of Delivery
8/9/10

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

Article Number (Transfer from service label) **7009 3410 0002 1934 0595**