



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 7003 1010 0004 2923 5397  
RETURN RECEIPT REQUESTED

February 24, 2010

Saady Abouhashem  
Clarkia Gas  
818 East 200<sup>th</sup> Street  
Cleveland, OH 44119

NON-HPV

FACILITY ID: 13-18-00-7937  
NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:  
FAILING STAGE II TESTING

Dear Mr. Abouhashem:

On February 8, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Clarkia Gas located at 818 East 200<sup>th</sup> Street 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.

Clarkia Gas failed the Air-to-Liquid test on pumps #1 and #3 on February 8, 2010. 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, were violations of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code (ORC) Chapter 3704.05(G).

Retests were performed and passed on February 18, 2010 on pumps #1 and #3. While deficiencies that existed have been corrected, future correspondence will be issued to address the facility failing Stage II tests in two consecutive years.

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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for Clarkia Gas: 13-18-00-7937.

Sincerely,

*Linda Kimmomy for G.B.*

George Baker  
Chief of Enforcement

GB/AM

cc: Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318007937\2010-2-8 NOVFL.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.

1. Article Addressed to:

Saadu Abouharhem  
Clarkia Oas  
818 East 200<sup>th</sup> Street  
Cleveland, OH 44119

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*x/Valen Hayes*

- Agent  
 Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

2.27.10

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

3. Service Type

- Certified Mail  Express Mail  
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4. Restricted Delivery? (*Extra Fee*)  Yes

2. Article Number

(transfer from service label)

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