



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 #70093410000219342056
RETURN RECEIPT REQUESTED

June 28, 2011

Gurjeet Raina
Kinsman Citgo (dba Rain Gas)
3350 East 116th Street
Cleveland, OH 44120

NON-HPV

FACILITY ID: 13-18-00-8285

NOTICE OF VIOLATION: Failing 2010 Stage II testing and failing to obtain a 2010 city permit

Dear Mr. Raina:

On June 21, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Kinsman Citgo (dba Rain Gas) located at 3350 East 116th 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.

Kinsman Citgo (dba Rain Gas) failed a Stage II Air to Liquid Ratio test on June 21, 2011. 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).

Also, Kinsman Citgo (dba Rain Gas) has not obtained city permits-to-operate by submitting permit fees for calendar year 2010. This is a violation of City of Cleveland Codified Ordinances 259.01 and 263.01.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Kinsman Citgo (dba Rain Gas) perform and pass a Stage II Air to Liquid test and provide test results within thirty (30) days of receipt of this letter to the following enforcement representative:

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

CDAQ also requests that Kinsman Citgo (dba Rain Gas) obtain city permits-to-operate by submitting city permit fees for calendar years 2010 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

In addition 2011 city permits-to-operate invoices have been sent and are due.

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

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit applications 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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Kinsman Citgo (dba Rain Gas): 13-18-00-8285.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/ak

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318008285\2011-6-21 NOV.doc

encl: City permit fee invoice for calendar year 2010