



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7010 1870 0000 6591 4070
RETURN RECEIPT REQUESTED**

July 19, 2012

Michael Eadeh
4818 Pershing, Inc. DBA P.M. Gas Mart
4818 Pershing Avenue
Cleveland, OH 44127

FACILITY ID: 13-18-00-7933

NOTICE OF VIOLATION: Failure to Conduct Stage II Testing (Dynamic Pressure Test)

Dear Mr. Eadeh:

On July 17, 2012, the Cleveland Division of Air Quality (CDAQ) inspected 4818 Pershing, Inc. DBA P.M. Gas Mart located at 4818 Pershing 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.

CDAQ has determined that 4818 Pershing, Inc. DBA P.M. Gas Mart failed to perform a Dynamic Pressure Test (which is required once every 5 years) since November 22, 2006, for emission unit G001: Stage II Gasoline Dispensing Facility, as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). This is a violation of Ohio Administrative Code Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code Section 3704.05(G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that 4818 Pershing Avenue DBA P.M. Gas Mart schedule Stage II testing (Dynamic Pressure Test) and forward the results to the following enforcement representative within thirty (30) days of your receipt of this letter:

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



4818 Pershing Avenue DBA P.M. Gas Mart last performed and passed Stage II testing (Static Leak Test and Air-to-Liquid Ratio Test) on August 10, 2011. The Static Leak Test and Air-to-Liquid Ratio Test are required annually, so they are to be conducted again no later than August 10, 2012.

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

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 4818 Pershing, Inc. DBA P.M. Gas Mart: 13-18-00-7933.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ
VW/AM LK

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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