



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7002 2030 0001 1808 8909
RETURN RECEIPT REQUESTED

August 14, 2008

Frank Gallo
Gallo's Convenient Market
3870 Pearl Road
Cleveland, Ohio 44109

FACILITY ID: 1318008647
RECEIPT OF CORRECTIVE ACTION PLAN: FAILURE TO CONDUCT STAGE II
TESTING

Dear Mr. Gallo:

On July 10, 2008, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Gallo's Convenient Market conduct Stage II testing. CDAQ is in receipt of the letter dated July 30, 2008 and additional recommendation letters from Tank Integrity & Nozzle New Inc dated July 21 and August 7, 2008, respectively. You are expected to make the necessary repairs, conduct Stage II testing, and have Gallo's Convenient Market be in compliance by September 15, 2008.

Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action.

CDAQ issues this letter with Ohio EPA's concurrence and 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 Mike Samec at 216-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for Gallo's Convenient Market: 1318008647.

Sincerely,

George Baker
Chief of Enforcement, CDAQ

GB/ms

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318008647\2008-07-02 RCAP.doc

July 30, 2008

Mike Samec
Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland OH 44114-2080

Facility ID: 1318008647

Dear Mr. Samec,

On July 21, 2008 Tank Integrity Services came to our location to administer the Dynamic Pressure test. It was stated at that time that there is blockage and that further remedies will be needed. We have contacted Nozzlenew to try to locate the blockage that was referred to in this test.

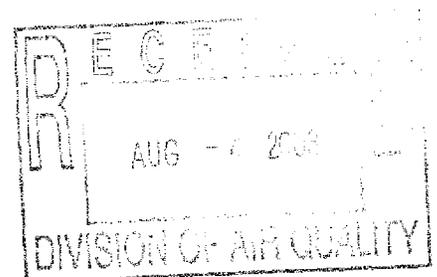
While we plan to have this corrected immediately, we will work with Nozzlenew to correct the problem promptly.

Thank you for your time in this matter and understanding that our business is suffering financially.

Sincerely,



Frank Gallo



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: 8047

Frank Gallo
Gallo's Convenient Market
3870 Pearl Rd
Cleveland, OH 44109

2. Article Number
(Transfer from service label)

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Andrea Washburn Agent
 Addressee

B. Received by (Printed Name): *Andrea Washburn* C. Date of Delivery

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

7002 2030 0001 1808 8909

Domestic Return Receipt

02595-02-M-1540