

**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

VIA HAND DELIVERY

VIA CERTIFIED MAIL: \_\_\_\_\_

Date: 8/8/08

Owner: City of Cleveland (Akil Hashim) Representative

Facility Name: Humphry Park

Address: 207 East 161<sup>st</sup> Cleveland, Oh 44116

Inspector: Mike Samac

**FACILITY ID:** No ID was given or filed with CDAQ  
**NOTICE OF VIOLATION: STAGE II REQUIREMENTS**

The Cleveland Division of Air Quality (CDAQ) inspected the above reference facility. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions. Violations are noted by checkboxes before the paragraph; each checked item is a violation of the Ohio Administrative Code (OAC) noted in that paragraph, and a separate violation of Ohio Revised Code (ORC) Section 3704.05(G).

- Failure to provide a copy of the most recent permit-to-operate (PTO) issued to your facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(v)*
- Failure to provide a copy of the most recent PTO application and emissions activity category form for your facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(iv)*
- Failure to submit a PTO application and emissions activity category form for your facility. *Violation of OAC 3745-35-02(A)*
- Failure to submit a permit-to-install (PTI) application and emissions activity category form for your facility. *Violation of OAC 3745-31-02(A)(1)*
- Failure to conduct an Air-to-Liquid Ratio test within 12 months on your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(2)(f)*
- Failure to conduct a Static Leak test within 12 months on your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(2)(f)*
- Failure to conduct a Dynamic Pressure test within 5 years on your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(2)(d)*
- Failure to provide a copy of the most recent Stage II test results for your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(ii)*
- Failure to provide a copy of the certificate issued to the Stage II Compliance Specialist for your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(vi)*
- Failure to submit Stage II test results to CDAQ within 30 days of completing the test. *Violation of OAC 3745-21-09(DDD)(2)(c)*
- Your gasoline dispensing facility has been issued PTI \_\_\_\_\_. The violations listed above are also violations of this PTI and ORC Section 3704.05(C). *No PTI filed*
- Your gasoline dispensing facility has been issued a PTO on \_\_\_\_\_. The violations listed above are also violations of this PTO and ORC Section 3704.05(C). *No PTO filed*



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. Your written response to this letter must be received by CDAQ within fourteen (14) 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. Your written response should be addressed to the inspector listed on the first page of this letter and mailed to:

Cleveland Division of Air Quality  
1925 St. Clair Avenue NE  
Cleveland, Ohio 44114-2080

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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

Facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production can contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518 and there is no charge for their services.

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 CDAQ at 216-664-2297 and ask for the inspector on the first page of this letter. All correspondence with CDAQ must include the Ohio EPA facility identification number listed on the first page of this letter.

Sincerely,

George Baker  
Chief of Enforcement, CDAQ

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File



City of Cleveland  
Frank G. Jackson, Mayor

# Memorandum

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## DIVISION OF MOTOR VEHICLE MAINTENANCE

TO: EPA

FROM: *AH.*  
Akil Hashim, Fuel System Technician  
Division of Motor Vehicle Maintenance

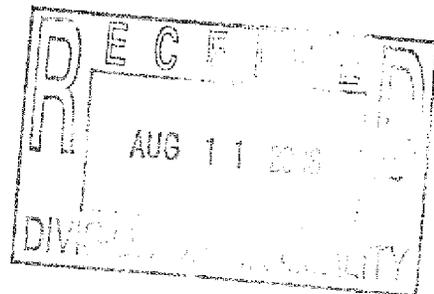
SUBJECT: Static Leak Test  
Dynamic Pressure Test  
Stage II Testing

DATE: August 11, 2008

In regards to the above mentioned subject, during the year 2007 financial problems prevented the Division of Motor Vehicle Maintenance from contracting with an outside vendor to perform the required testing.

Please direct any questions or comments to Daniel A. Novak, Commissioner, Division of Motor Vehicle Maintenance, 216-420-8105.

Cc: Daniel A. Novak, Commissioner MVM  
Jeffrey Brown, Assistant Commissioner MVM





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 7003 1010 0004 2923 3713  
RETURN RECEIPT REQUESTED**

November 5, 2008

Akil Hashim  
Division of Motor Vehicle Maintenance  
4150 East 49<sup>th</sup> Street  
Cleveland, Ohio 44105

**FACILITY ID: 1318008702  
RECEIPT OF CORRECTIVE ACTION PLAN: STAGE II REQUIREMENTS**

Dear Mr. Hashim:

On August 8, 2008, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting Humphrey Park to conduct Stage II testing. CDAQ is in receipt of a memorandum dated August 11, 2008, in which you acknowledge Stage II testing was not conducted in 2007. CDAQ has received test results of two recent attempts to conduct Stage II testing dated September 3, 2008. The facility was not able to pass the required tests at that time. Humphrey Park is expected to comply with Stage II testing requirements by November 19, 2008. Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action. 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 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for Humphrey Park: 1318008702.

Sincerely,

A handwritten signature in black ink, appearing to read "George Baker".

George Baker  
Chief of Enforcement, CDAQ

GB/ms

cc: Daniel A. Novak, Commissioner  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318008702\08-08-08 RCAP.doc

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><i>Jennifer Lopez</i></p>
<p>1. Article Addressed to: <i>P702</i></p> <p style="text-align: center;"><i>Akil Hashim</i> <i>Division of Motor Vehicle Maintenance</i> <i>4150 E 49<sup>th</sup> Str</i> <i>Cleveland, OH 44105</i></p>	<p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p><i>Jennifer Lopez</i> <span style="float: right;"><i>11/14/08</i></span></p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address different from item 1? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If YES, enter delivery address below:</p>
<p>7003 1010 0004 2923 3713</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <span style="margin-left: 100px;"><input type="checkbox"/> Express Mail</span></p> <p><input type="checkbox"/> Registered <span style="margin-left: 100px;"><input type="checkbox"/> Return Receipt for Merchandise</span></p> <p><input type="checkbox"/> Insured Mail <span style="margin-left: 100px;"><input type="checkbox"/> C.O.D.</span></p>
	<p>4. Restricted Delivery? (Extra Fee) <span style="float: right;"><input type="checkbox"/> Yes</span></p>