



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 7009 3410 0002 1933 7847
RETURN RECEIPT REQUESTED**

6/30/11

Robert Perry
CEI Co.
76 South Main St.
Akron, OH 44308

NON-HPV

FACILITY ID: 13-18-00-8740

NOTICE OF VIOLATION: Failure to provide Stage II Vapor Recovery Compliance Specialist certification; Failure to obtain City of Cleveland Operating Permit for 2010

Dear Mr. Perry:

On 6/24/11, the Cleveland Division of Air Quality (CDAQ) inspected the CEI Co. Service Center located at 1561 E. 24th St. 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.

CEI Co. failed to provide Stage II Vapor Recovery Compliance Specialist certification. This is a violation of the Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(3)(vi) and the Ohio Revised Code (ORC) Section 3704.05(C) and (G).

Additionally, CEI Co. failed to obtain a City Permit for 2010 in violation of the City of Cleveland's Permit to Operate an Air Pollution Source (Chapters 259.01 and 263.01 of the City of Cleveland Health Code). Also, please be aware that the invoice for the 2011 City Permit has recently been mailed.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that CEI Co. submit a copy of the Stage II Vapor Recovery Compliance Specialist certification to the following enforcement representative:

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



Furthermore, CDAQ requests that the CEI Co. obtain a City Permit for 2010 by submitting the City Permit Fee to the following address:

City Permit Fee Invoices
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for CEI Co.: 13-18-00-8740.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/dd

cc: Gary Chack, First Energy
George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
X Facility File and L:\Data\Facilities\1318008740\2011-6-24 NOV.docx

encl: City Permit Invoice for 2010

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:

Robert Perry
 CEI Co.
 76 South Main St.
 Akron, OH 44308

13-18-00-8740

2. Article Number
(Transfer from service label)

7009 3410 0002 1933 7847

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Joe Mason* Agent AddresseeB. Received by (Printed Name)
Joe Mason

C. Date of Delivery

JUL 06 2011

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