



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 1934 2193
RETURN RECEIPT REQUESTED**

January 20, 2011

Tim Farrar
Sam's Club #6302
23300 Broadway Ave.
Bedford, Ohio 44146

NON-HPV

**FACILITY ID: 1318038446
NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:
Failing annual Stage II testing**

Dear Mr. Farrar:

On January 5, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Sam's Club #6302 located at 23300 Broadway Ave in Bedford, Ohio. This letter serves as notification that you operated sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

On January 5, 2011, Sam's Club #6302 Gasoline Dispensing Facility (GDF) failed an Air-to-Liquid Test on pump #2. 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, was a violation of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code (ORC) Chapter 3704.05(G).

An Air-to-Liquid Ratio retest on pump #2 was performed and passed on January 19, 2011.

The corrective action plan was received in a timely manner and appropriate steps were taken to bring the source into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.

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 Mike Samec at (216) 420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for Sam's Club #6302: 1318038446.

Sincerely,

Linda Kimmy for G.B.

George Baker
Chief of Enforcement

GB/ms

cc:

John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318038446\2011-01-05 NOV+NEAR.doc

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (<u>Printed Name</u>) Date of Delivery</p>
<p>1. Article Addressed to: 038446</p> <p style="text-align: center;">Tim Farrar Sam's Club #6302 702 SW 8th STR Bentonville, AR 72716</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center; font-size: 1.2em;">JAN 27 2011</p> <p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center; font-size: 1.2em;">7009 3410 0002 1934 2193</p>