



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 # 70093410000219342032  
RETURN RECEIPT REQUESTED**

June 21, 2011

Cheryl Anderson  
10300 Brookpark Brooklyn LLC  
1425 Mountain Drive North  
Bethlehem, PA 18015

NON-HPV

**FACILITY ID: 13-18-10-6947  
NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:  
FAILING 2011 STAGE II TESTING**

Dear Ms. Anderson:

On June 9, 2011, the Cleveland Division of Air Quality (CDAQ) inspected 10300 Brookpark Brooklyn LLC located at 10300 Brookpark Road in Brooklyn. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

10300 Brookpark Brooklyn LLC failed a Static Leak test on January 4, 2011. 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 Ohio Revised Code (ORC) Chapter 3704.05(G) and OAC Rule 3745-21-09(DDD)(1)(c).

10300 Brookpark Brooklyn LLC performed and passed a Static Leak retest on January 25, 2011. 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.

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 Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for 10300 Brookpark Brooklyn LLC: 13-18-10-6947.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy  
Field Enforcement Manager

LK/ak

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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