



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 8141
RETURN RECEIPT REQUESTED

March 22, 2010

Roman Gaid
Mo Asisi
Noble's Gas
2610 Noble Road
Cleveland Heights, OH 44121

FACILITY ID: 13-18-16-7085
RECEIPT OF CORRECTIVE ACTION PLAN: FAILURE TO OPERATE A VAPOR
CONTROL SYSTEM ACCORDING TO CARB CERTIFICATIONS; FAILURE TO
CONSPICUOUSLY POST "DO NOT TOP OFF" INSTRUCTIONS

Dear Mr. Gaid:

On February 3, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Noble's Gas make appropriate repairs to dispensers #1, #2, #3, and #4, which includes vapor recovery lines certified to contain gasoline with vapor shear valves, submit a copy of the work order and post operating instructions on each dispenser within thirty (30) days of receipt of the letter. Operating instructions have since been posted.

CDAQ is in receipt of a time extension request for an additional thirty (30) days dated March 18, 2010. Noble's Gas is still expected to comply with making the appropriate repairs to dispensers #1, #2, #3, and #4, which includes vapor recovery lines certified to contain gasoline with vapor shear valves, and submit a copy of the work order by April 26, 2010.

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.

Per your request, a copy of the Notice of Violation issued to Noble's Gas on February 3, 2010 has been enclosed with this letter.

In addition, Noble's Gas may be eligible for the Permit-by-Rule (PBR) exemption. This exemption is based on monthly and annual throughput amounts. More information about the PBR Notification form can be found at the following web address:

<http://www.epa.state.oh.us/dapc/pbr/permitbyrule.aspx>. Please review the PBR requirements for gasoline dispensing facilities to determine if Noble's Gas meets the criteria for this exemption. A PBR Notification form is enclosed with this letter. Please note that all PBR Notification forms submitted to CDAQ must include original



signatures. Photocopied signatures are not valid; the PBR Notification Form will not be accepted by CDAQ and will be returned to you if the original signatures are not provided.

The PBR Notification Form may be submitted to the following address:

Permit Section
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, OH 44114-1839

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 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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Noble's Gas: 13-18-16-7085.

Sincerely,

Linda Kimmey for G.B.
George Baker
Chief of Enforcement, CDAQ

GB/MM

cc: Roman Gaid, Noble's Gas
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318167085\2010-1-21 RCAP.doc

encl: 2010-1-21 NOV
PBR NOTIFICATION FORM AND INSTRUCTIONS
OHIO EPA PERMIT-BY-RULE FOR AIR POLLUTION SOURCES FACT SHEET

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:

Mo Asisi
 Ayman Abdelhady
 Noble's Gas
 2660 Noble Rd.
 Cleveland Hts., OH 44121

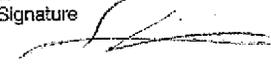
2. Article Number
(Transfer from service label)

7009 3410 0002 1933 8141

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

MOHAMED ASISI

C. Date of Delivery

3/29/10

D. Is delivery address different from item 1? YesIf 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