



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 7003 1010 0004 2923 6844
RETURN RECEIPT REQUESTED**

July 12, 2011

Ramy Garas
Nela Park Sunoco
1980 Noble Rd.
East Cleveland, OH 44112-1723

NON-HPV

FACILITY ID: 13-18-18-8352

NOTICE OF VIOLATION: Failure to complete Stage II Compliance Specialist training and failure to submit a permit-to-install/operate application or permit-by-rule notification

Dear Mr. Garas:

On June 23, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Nela Park Sunoco located at 1980 Noble Road in East Cleveland. This letter serves as notification that you are operating a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

Nela Park Sunoco failed to provide proof of attendance and completion of Stage II Compliance Specialist training. This is a violation of Ohio Revised Code (ORC) Section 3704.05(G) and Ohio Administrative Code Rule 3745-21-09 (DDD)(3)(a)(vi).

You began operating the gasoline dispensing facility on April 15, 2011 and failed to submit an Ohio EPA permit-to-install/operate (PTIO) application or a permit-by-rule (PBR) notification form. This is in violation of OAC Rules 3745-31-02(A)(1) and 3745-31-03(A)(4)(a), respectively and ORC Sections 3704.05(F).

During the June 23, 2011 inspection CDAQ discussed the attributes of submitting an application for a PTIO and a PBR notification form. You said that you are interested in submitting a PBR notification form. The PBR notification form is enclosed.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. Within 30 days of receipt of this letter CDAQ requests that you submit a PBR notification form and a copy of your training certificate to the following enforcement representative:

David Wagner
Cleveland Division of Air Quality
75 Erieview Plz., 2nd Flr.
Cleveland, OH 44114-1839



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 ORC Section 3704.99(A), which allows fines of not more than \$25,000 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 the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or 614/644-3469 or 800/329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for Nela Park Sunoco: 13-18-18-8352.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/dlw

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318188352\2011-06-23 NOV.docx

encl: PBR Notification form

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 type="checkbox"/> Addressee X </p>
<p>1. Article Addressed to: — 18-8352 NOV</p> <p>RAMY GARAS NELA PARK SUNOCO 1980 NORBLE RD EAST CLEVELAND OH 4412</p>	<p>B. Received by (Printed Name) C. Date of Delivery Ramy Garas 7/15/11</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>2. 7003 1010 0004 2923 6844</p>	<p>3. Service Type <input checked="" 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>