



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Ericview 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 7003 1010 0004 2923 7476
RETURN RECEIPT REQUESTED

March 15, 2010

Abdullah Hussain
Euclid Noble Mini Mart
16049 Euclid Ave.
East Cleveland, OH 44112

NON-HPV

FACILITY ID: 13-18-18-8701

NOTICE OF VIOLATION: Operating an air emissions unit without obtaining a state operating permit; Failure to provide proof of attendance and completion of training required by Ohio EPA

Dear Mr. Hussain:

On March 3, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Euclid Noble Mini Mart located at 16049 Euclid Avenue in East Cleveland. This letter serves as notification that you have and are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Euclid Noble Mini Mart installed a gasoline dispensing facility without obtaining the necessary state operating permit. This is a violation of Ohio Revised Code (ORC) 3704.05 (G) and Ohio Administrative Code (OAC) 3745-31-02(A).

CDAQ is in receipt of the Permit-by-Rule Notification form which was submitted to CDAQ on March 5, 2010. CDAQ has determined that no further enforcement action is warranted at this time regarding the failure to obtain a state operating permit, but reserves its right to take such action in the future if necessary.

Euclid Noble Mini Mart also failed to provide proof of attendance and completion of training required by Ohio EPA in violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi), which states that any owner or operator of a gasoline dispensing facility must provide proof of attendance and completion of training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility. Euclid Noble Mini Mart is required to have a Stage II compliance specialist certificate.

Unless you undertake some type of corrective action you will remain in noncompliance. CDAQ requests that the responsible official for Euclid Noble Mini Mart attend the required training for Ohio EPA and submit proof of attendance and completion of the training within thirty (30) days to the following enforcement representative:



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

Please be advised that OAC Rule 3745-21-09(DDD)(3)(b) states all records shall be retained by the owner or operator for a period of not less than three years and shall be made available to the director or any authorized representative of the director for review during normal business hours.

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 Megan Murphy at 216-664-4258.

Sincerely,

Linda Jimmy for G.B.

George Baker
Chief of Enforcement

GB/MM

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318188701\2010-3-3 NOV.doc

encl: Ohio Environmental Protection Agency's (EPA) Enforcement Penalty Policy for
Stage II Vapor Control System Violations
Ohio EPA Vapor Recovery System Weekly Checklist

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:

Abdullah Hussain
Euclid Noble Mini Mart
16049 Euclid Ave
East Cleveland, OH 44112

2. Article Number
(Transfer from service label)

7003 1010 0004 2923 7476

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Abdullah Hussain Addressee

B. Received by (Printed Name) C. Date of Delivery
ABDULLAH HUSSAIN 3-18-04

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