



City of Cleveland
Frank C. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7002 2030 0001 1808 4819
RETURN RECEIPT REQUESTED**

October 23, 2007

Mohammad Khokon
United Petro
5321 Lee Road
Maple Heights, Ohio 44137

**FACILITY ID: 1318316750
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Khokon:

On August 24, 2007, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation to United Petro for failure to provide a copy of the most recent Stage II test results and failure to provide a copy of the Permit to Install. CDAQ is in receipt of the required test results and a copy of the Permit to Install on August 27, 2007.

The corrective action plan was received 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 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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for United Petro: 1318316750.

Sincerely,

A handwritten signature in cursive script that reads "George Baker".

George Baker
Chief of Enforcement, CDAQ

GB/ms

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Facility File and L:\Data\Facilities\1318316750\2007-10-23 NEAR.doc

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

VIA HAND DELIVERY

VIA CERTIFIED MAIL: _____

Date: 8/24/07

Owner: ~~Joe~~ Mohammed Khokon

Facility Name: United Petro

Address: 5321 Leek Rd Maple Hts Ohio 44137

Inspector: Mite Samee

FACILITY ID: 1318316750

NOTICE OF VIOLATION: STAGE II REQUIREMENTS

The Cleveland Division of Air Quality (CDAQ) inspected the above reference facility. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions. Violations are noted by checkboxes before the paragraph; each violation is a violation of the Ohio Administrative Code (OAC) noted in each paragraph and a separate violation of Ohio Revised Code (ORC) Section 3704.05(G).

- Failure to provide a copy of the most recent permit-to-operate (PTO) issued to your facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(v)*
- Failure to provide a copy of the most recent PTO application and emissions activity category form for your facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(iv)*
- Failure to submit a PTO application and emissions activity category form for your facility. *Violation of OAC 3745-35-02(A)*
- Failure to submit a permit-to-install (PTI) application and emissions activity category form for your facility. *Violation of OAC 3745-31-02(A)(1)*
- Failure to conduct an Air-to-Liquid Ratio test within 12 months on your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(2)(f)*
- Failure to conduct a Static Leak test within 12 months on your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(2)(f)*
- Failure to conduct a Dynamic Pressure test within 5 years on your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(2)(d)*
- Failure to provide a copy of the most recent Stage II test results for your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(ii)*
- Failure to provide a copy of the certificate issued to the Stage II Compliance Specialist for your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(vi)*
- Failure to provide a copy of the certificate issued to the Stage II Compliance Specialist for your gasoline dispensing facility. *Violation of OAC 3745-21-09(DDD)(3)(a)(vi)*

Your gasoline dispensing facility has been issued PTI 13-4420. The violations listed above are also violations of this PTI and ORC Section 3704.05(C).

Your gasoline dispensing facility has been issued a PTO on 7/15/07. The violations listed above are also violations of this PTO and ORC Section 3704.05(C).



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. Your written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations. Your written response should be addressed to the inspector listed on the first page of this letter and mailed to:

Cleveland Division of Air Quality
1925 St. Clair Avenue NE
Cleveland, Ohio 44114-2080

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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

Facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production can contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or (614) 644-3469 or (800) 329-7518 and there is no charge for their services.

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 CDAQ at 216-664-2297 and ask for the inspector on the first page of this letter. All correspondence with CDAQ must include the Ohio EPA facility identification number listed on the first page of this letter.

Sincerely,

George Baker
Chief of Enforcement, CDAQ

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File