



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 7001 2510 0006 1130 7301
RETURN RECEIPT REQUESTED

July 23, 2009

David Nye
TrueNorth
3710 LeHarp Road
Youngstown, OH 44515

FACILITY ID: 13-18-37-6024

RECEIPT OF CORRECTIVE ACTION PLAN: Failure to conduct Dynamic Pressure Test

Dear Mr. Nye:

On July 15, 2009, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that True North Energy Location #365 conduct a Dynamic Pressure Test. CDAQ is in receipt of a follow-up letter and general timeline dated July 23, 2009. You are expected to comply with conducting the Dynamic Pressure Test by September 7, 2009. 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.

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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for True North Energy Location #365: 13-18-37-6024.

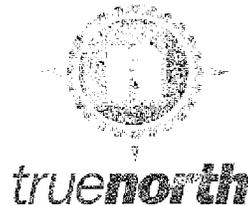
Sincerely,

A handwritten signature in black ink, appearing to read "George Baker".

George Baker
Chief of Enforcement, CDAQ

GB/AM |K

cc: John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318376024\2009-7-15 RCAP.docx



July 22, 2009

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

RE: Facility ID: 13-18-37-6024

Dear Mr. Marantides,

As a follow up to our conversation and in response to the Notice of Violation dated 7/15/2009, please notate your files to reflect that the above referenced facility will be undergoing a complete Tank Top Upgrade on or about the middle of August.

After such time, *truenorth* will perform the required Dynamic Pressure/Stage II Testing to become completely compliant as stipulated in the Ohio Administrative Code (OAC) rule 3745-21-09 (DDD)(2).

If you have any further questions or concerns, please feel free to contact me anytime at 330.792.9999 ext. 127.

Regards,

David P. Nye, CHMM
GM, Environmental, Maintenance, and Construction

CC

