



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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Cleveland, Ohio 44114 1839  
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www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7003 1010 0004 2923 2990  
RETURN RECEIPT REQUESTED

12/8/2009

Susan Eid  
Rich's Mini Mart  
10550 W. Pleasant Valley Road  
Parma, OH 44130-6021

NON-HPV

FACILITY ID: 13-18-45-6247

NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP: FAILING STAGE II TEST

Dear Mrs. Eid:

On 12/8/2009, the Cleveland Division of Air Quality (CDAQ) received a Stage II test report for Rich's Mini Mart located at 10550 W. Pleasant Valley Road in Parma. This letter serves as notification that you operated sources in violation of the following applicable air statutes, air regulations or air permit conditions.

Rich's Mini Mart failed the Static Leak test and Air-to-Liquid (A/L) ratio test on dispensers #1, #2, #8, #9 and #10 on November 4, 2009. The failure to successfully pass the testing requirements specified in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2) while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle was a violation of Ohio Revised Code (ORC) Chapter 3704.05(G) and OAC Rule 3745-21-09(DDD)(1)(c).

A Static Leak retest and A/L retest on dispensers #1, #2, #8, #9 and #10 were performed and passed on December 3, 2009. 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.

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 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. If you have any questions, please call David Wagner at 216/664-3004 or Ryan Olinek at 216/664-3315. All correspondence with CDAQ must include the Ohio EPA facility identification number for Rich's Mini Mart: 13-18-45-6247.

Sincerely,

George P. Baker  
Chief of Enforcement

GPB/dlw

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