



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 7003 1010 0004 2923 7438  
RETURN RECEIPT REQUESTED

February 25, 2010

Wayne Eliason  
Pearl Road Company  
15416 Industrial Parkway  
Cleveland, OH 44135

NON-HPV

FACILITY ID: 13-18-45-6709

NOTICE OF VIOLATION: Failing annual Stage II testing; Failure to maintain records of proof of attendance and completion of training

Dear Mr. Eliason:

On February 17, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Pearl Road Company located at 5336 Broadview Road in Parma. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Pearl Road Company failed an Air-to-Liquid (A/L) Ratio test on the premium grade on dispensers #1 through #8 on February 17, 2010. The A/L Ratio also failed on all three grades on dispenser #4. The Static Leak (SL) and Dynamic Pressure (Blockage) tests passed. The failure to successfully pass the testing requirements in Ohio Administrative Code (OAC) Rule 3745-21-09 (DDD)(2) for dispensers #1 through #8 while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle are violations of Ohio Revised Code (ORC) Section 3704.05(G) and OAC Rule 3745-21-09 (DDD)(1)(b) and (c).

CDAQ has determined that Pearl Road Company failed to provide a copy of a Stage II compliance specialist certificate. This is a violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(3)(a)(vi), which states the owner or operator of a gasoline dispensing facility (GDF) shall maintain records of proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the GDF.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance.



CDAQ requests that Pearl Road Company make the necessary repairs, then conduct a re-test of the A/L Ratio and submit the test results along with a copy of the most current Stage II compliance specialist certificate for this facility within thirty (30) days to the following enforcement representative:

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

If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within thirty (30) days of receipt of this letter.

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. All correspondence with CDAQ must include the Ohio EPA facility identification number for Pearl Road Company: 13-18-45-6709.

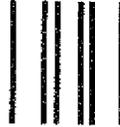
Sincerely,

*Linda Kimmy 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\1318456709\2010-2-17 NOV.doc

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Cleveland Division of Air Quality  
Attn: Megan Murphy  
75 Erieview Plaza 2nd Floor  
Cleveland, OH 44114

131845 NOV

**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:

Wayne Eliason  
 Pearl Rd. Co.  
 15416 Industrial Pkwy.  
 Cleveland, OH 44135

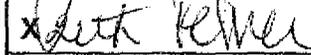
2. Article Number

(Transfer from service label)

7003 1010 0004 2923 7438

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature


 Agent Addressee

B. Received by (Printed Name)

Ruth Fesler

C. Date of Delivery

3-1-10

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