



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 7009 3410 0002 1933 8554
RETURN RECEIPT REQUESTED**

May 14, 2010

Jonathan Ross
Circle K #5254
PO Box 347
Columbus, IN 47202

**FACILITY ID: 13-18-45-8705
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Ross:

On March 12, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Circle K #5254 to submit a corrective action plan stating how Circle K will maintain copies of post test inspection results for future inspections for three calendar years as well as conspicuously post operating instructions which clearly state "Do Not Top Off."

CDAQ is in receipt of Stage II testing results for this facility on April 5, 2010 for calendar years 2006, 2007, 2008, 2009, and 2010. Copies of the post test inspection forms need to be maintained by the facility for three full calendar years. Operating instructions which clearly state "Do Not Top Off" shall be maintained.

The corrective action plan was received in a timely manner 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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Circle K#5254: 13-18-45-8705.

Sincerely,

Linda Kimmy for G.B.
George Baker

Chief of Enforcement, CDAQ

GB/mm

cc:

John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318458705\2010-3-12 NEAR.doc

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<p>1. Article Addressed to:</p> <p><i>Jonathan Ross Circle K # 5254 PO Box 347 Columbus, IN 47202</i></p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p> <p><i>5/19/10</i></p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
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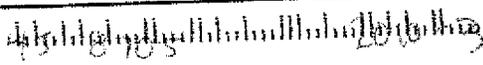


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Division of Air Quality
75 Eneview Plaza, 2nd Floor
Cleveland, Ohio 44114-1839

Attn: Megan Murphy

13 18 45 8703  206 113 42 2nd NOV