



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#70093410000219340236
RETURN RECEIPT REQUESTED**

September 6, 2011

Matt Shull
Yorktown Automotive Service Center, Inc
6177 Pearl Road
Parma Heights 44130

NON-HPV

FACILITY ID: 13-18-46-8287

**NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:
FAILING TO PERFORM 2010 STAGE II TESTING**

Dear Mr. Shull:

On August 10, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Yorktown Automotive Service Center, Inc. (Yorktown) located at 6177 Pearl Road in Parma Heights. This letter serves as notification that you have operated sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Yorktown failed to perform required stage II testing for the 2010 calendar year. The failure to perform and 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).

On August 18, 2011, Yorktown performed and passed all required Stage II testing. 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 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 Andrew Kenney at (216) 420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Yorktown Automotive Service Center, Inc.: 13-18-46-8287.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager

LK/ak

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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