



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](http://www.clevelandhealth.org)

SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY

CERTIFIED MAIL 7009 3410 0002 1933 8608  
RETURN RECEIPT REQUESTED

May 12, 2010

Gregg Budoi  
Easy Energy USA, AM/PM #2408  
PO Box 2508  
Mansfield, OH 44906

NON-HPV

FACILITY ID: 13-18-53-7024  
NOTICE OF VIOLATION : Failure to conduct Annual Stage II testing

Dear Mr. Budoi:

On May 7, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Easy Energy USA dba AM/PM #2408 (AM/PM #2408) located at 34050 Aurora Road in Solon. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

AM/PM #2408 is in violation of Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(1)(c) which states that no owner or operator of a gasoline dispensing facility (GDF) may cause, allow, or permit the transfer of gasoline from a stationary tank at a GDF into a motor vehicle unless the vapor control system successfully passes the testing requirements contained in OAC Rule 3745-21-09(DDD)(2).

AM/PM #2408 has failed to conduct Stage II testing as required by Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2)(f) at the frequency specified in the California Air Resources Board (CARB) certification for the Stage II vapor recovery equipment. Executive Order G-70-153-AD states that the owner or operator of the installation shall conduct, and pass, an Air-to-Liquid (A/L) Ratio test as specified in TP-201.5 and a Static Pressure Decay (SL) test as specified in Exhibit 3, no later than 60 days after startup and at least once in each twelve month period thereafter. An A/L Ratio and a Static Leak test were last conducted on January 5, 2009.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that AM/PM #2408 conduct Stage II testing and submit the test results 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 AM/PM #2408: 13-18-53-7024.

Sincerely,

*Linda Kimmey 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\1318537024\2010-5-7 NOV.doc

**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:

Gregg Budoi  
 EZ Energy USA / AWW/PM #2408  
 PO Box 2508  
 Mansfield, OH 44906

2. Article Number

*(Transfer from service label)*

7009 3410 0002 1933 8608

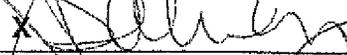
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

 Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

3-28

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

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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

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2010-5-7 NOV