



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 7011 2000 0002 6936 2887
RETURN RECEIPT REQUESTED**

July 20, 2012

Arthur Hendricks
Arthur's Shell
15400 Euclid Ave.
East Cleveland, OH 44112-2808

FACILITY ID: 13-18-18-6788

**RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Hendricks:

During an April 24, 2012, inspection, Cleveland Division of Air Quality (CDAQ) discovered that Arthur's Shell had not completed Stage II Vapor Recovery System tests at the appropriate interval. On May 3, 2012, the CDAQ issued a Notice of Violation (NOV) requiring Arthur's Shell to perform Stage II Vapor Recovery System tests. Following the NOV, Arthur's Shell had the tests performed on May 29, 2012, but only the air-to-liquid ratio (A:L) part of the tests passed. The Stage II Vapor Recovery System failed the static leak test. CDAQ issued a Receipt of Corrective Action Plan (RCAP) letter on June 12, 2012. The RCAP letter documented that the A:L tests passed but requested that repairs be made to the Stage II Vapor Recovery System and then perform the static leak test. CDAQ received the passing static leak test results on July 18, 2012.

Appropriate steps were taken to bring the source into compliance. CDAQ 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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for Arthur's Shell: 13-18-18-6788.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/dlw LK

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
L:\Data\Facilities\1318186788\2012-04-24 ROV+NEAR.docx

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