



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 4208  
RETURN RECEIPT REQUESTED

February 7, 2011

Mike Ali  
Strongsville Clark  
15387 Pearl Road  
Strongsville, OH 44136

NON-HPV

**FACILITY ID: 13-18-55-7946**

**SECOND NOTICE OF VIOLATION: Failure to maintain applicable records regarding operation of your gasoline dispensing facility**

Dear Mr. Ali:

On November 29, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Receipt of Corrective Action Plan requesting Strongsville Clark to provide proof of attendance for Stage II training as required by Ohio EPA for the operator or local manager of the gasoline dispensing facility (GDF) and to submit a corrective action plan outlining efforts undertaken by you to ensure compliance with the applicable recordkeeping regulations.

Additionally, on January 4, 2011, the Cleveland Division of Air Quality (CDAQ) revisited Strongsville Clark located at 15387 Pearl Road in Strongsville. At this time you were reminded of the outstanding violations, as mentioned above, stemming from CDAQ's compliance inspection on August 27, 2010. Violations of Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(3) and Ohio Revised Code (ORC) chapter 3704.05(G) were initially documented in a Notice of Violation dated August 27, 2010, which was sent to you via postage mail and also subsequently hand-delivered on September 14, 2010.

As of February 2, 2011, CDAQ is in receipt of a letter dated February 2, 2011, stating that you will keep records at the station for daily and weekly inspections so that they will be available upon request. Please note that additional recordkeeping requirements, as required by OAC rule 3745-21-09(DDD)(3), include the following:

- Monthly records of the quantity of gasoline delivered to the facility;
- The results of any tests performed pursuant to paragraph (DDD)(2) of OAC rule 3745-21-09;



- A log of the date and description of all repair and maintenance work performed, or any other modifications made to the vapor control system;
- Proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the GDF; and,
- Copies of all completed post test inspection forms.

Accordingly, Strongsville Clark is still in violation of OAC rule 3745-21-09(DDD)(3) and ORC chapter 3704.05(G); in that, proof of attendance and completion of Stage II training required by the Ohio EPA for the operator or local manager of your GDF has not been received by CDAQ.

Unless you undertake some type of corrective action with respect to the above noted violation, you will remain in non-compliance. CDAQ requests proof of attendance for Stage II training, as required by Ohio EPA, to be submitted within thirty (30) days of your receipt of this letter, to the following enforcement representative:

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

Furthermore, you are expected to comply with your stated actions as written in your letter dated February 2, 2011. Failure to do so may result in referral to Ohio EPA or U.S. EPA for further enforcement action. Fulfillment of your commitments included in the corrective action plan and/or any modifications contained within this letter does not constitute a waiver of CDAQ's ability to refer this matter to Ohio EPA or U.S. EPA for further enforcement action.

Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC 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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518.

CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP. OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.



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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for Strongsville Clark: 13-18-55-7946.

Sincerely,

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

Linda Kimmy  
Field Enforcement Manager

LK/vls

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, U.S. EPA Region V  
Facility File and L:\Data\Facilities\1318557946\2010-08-17 NOV2.docx



# CERTIFICATE OF COMPLETION

This is to certify that,

**mike ali**

Has successfully completed the course

**Site Fueling Safety for Class C UST Operators**

on

**February 16, 2011**

*on 3/8/11 JWS  
called Mike ali-  
he started that he  
took the test & mailed  
envelope to Tanknology  
he about 1 week ago.  
will be for ST-II  
to me when  
need*

(14)

telephoned Mr. Ali on 2-17-11 / let him know that this  
is the wrong cert. & we need a "Stage II" certification

# CERTIFICATE OF TRAINING

TO CERTIFY THAT:

25-Feb-11

## Mike Ali

CLARK GAS 15387 Pearl Rd. Strongsville, OH. 44136

**"Proper Operation and Maintenance of Stage II Vapor Recovery Equipment For Service Station Personnel"**

The name above is certified to fulfill the Stage II Facility Representative role exclusively for the location listed. The facility representative is responsible for educating all current and future employees about the purpose and correct operating procedures of the Stage II system at this location. This certification is non-transferable.

