



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 1934 1059
RETURN RECEIPT REQUESTED**

November 29, 2010

Mike Ali
Strongsville Clark
15387 Pearl Road
Strongsville, OH 44136

NON-HPV

**FACILITY ID: 13-18-55-7946
RECEIPT OF CORRECTIVE ACTION PLAN: VIOLATIONS OF STAGE II
TESTING AND REQUIRED RECORDKEEPING REQUIREMENTS**

Dear Mr. Ali:

On August 27, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation (NOV) requesting Strongsville Clark to conduct a retest of the Stage II required pressure decay test; submit a corrective action plan describing how you will maintain appropriate records in compliance with Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(3); and, to post appropriate operating instructions at each gasoline dispenser, including the prohibition of "topping off" of the motor vehicle tank.

On November 19, 2010, CDAQ inspected your gasoline dispensing facility (GDF) and witnessed passing results of applicable Stage II testing which included pressure decay, blockage, and air-to-liquid ratio. Additionally, fuel instructions including a "no topping off" instruction were found on each dispenser.

However, Strongsville Clark is still in violation of Ohio Administrative Code Rule 3745-21-09(DDD)(3) and Ohio Revised Code Chapter 3704.05(G); in that, proof of attendance and completion of training (i.e. Stage II) required by the Ohio EPA for the operator or local manager of your GDF has not been received by CDAQ. Additionally, CDAQ is also requesting a corrective action plan describing how you will maintain applicable records, as required, for the operation of your gasoline dispensing facility.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests proof of attendance for Stage II training as required by Ohio EPA for the operator or local manager of Strongsville Clark and a corrective action plan outlining efforts undertaken by you to ensure compliance with the regulated recordkeeping measures.



Submittal of the above documents shall be made within fourteen (14) days of your receipt of this letter, to the following enforcement representative:

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

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.

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. 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 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,

Linda Kimmey for G.B.
George Baker
Chief of Enforcement

GB/vls

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, USEPA, Region V
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