



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114-2080
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7002 2030 0001 1808 3980
RETURN RECEIPT REQUESTED**

May 22, 2007

Frank Gallo
Gallo's Convenient Market
3870 Pearl Road
Cleveland, Ohio 44109

RECEIPT OF CORRECTIVE ACTION PLAN: NOTICE OF VIOLATION

Dear Mr. Gallo:

On April 27, 2007, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Gallo's Convenient Market to provide either Permit to Install (PTI) and Permit to Operate (PTO) applications or Permit by Rule (PBR) notifications. CDAQ is in receipt of the email response forward to Mike Samec and Sarah Rehner for filing a PBR notification dated May 18, 2007.

CDAQ did not receive test results regarding Ohio Administrative Code Rule 3745-21-09(DDD)(2). You are expected to comply with the test results by June 6, 2007. 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.

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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for Gallo's Convenient Market.

Sincerely,

A handwritten signature in cursive script that reads "Valencia White for GFB".

George Baker
Chief of Enforcement, CDAQ

GB/ms



cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\Gallo's Convenient Market\2007-05-21 RCAP.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:

Frank Gallo
 Gallo's Convenience Market
 3870 Pearl Rd
 Cleveland, OH 44109

2. Article Number
(Transfer from service label)

7002 2030 0001 1808 3980

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

-
- Agent
-
-
- Addressee

B. Received by (Printed Name)

Senaker Swain

C. Date of Delivery

5/24/07

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

-
- Certified Mail
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- Express Mail
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- Registered
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- Insured Mail
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4. Restricted Delivery? (Extra Fee) Yes