



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 4031
RETURN RECEIPT REQUESTED**

June 15, 2011

Zayed Y. Zayed
Snappy Gas Mart
4189 Ridge Road
Cleveland, OH 44144

NON-HPV

FACILITY ID: Unassigned

NOTICE OF VIOLATION: Operating Without a Permit, Failure to Provide a Stage II Compliance Specialist Certificate, and Failure to Perform the Required Annual Stage II Testing

Dear Mr. Zayed:

On June 7, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Snappy Gas Mart located at 4189 Ridge Road in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Snappy Gas Mart is in violation of the following:

- OAC Rule 3745-31-02(A)(1)(b) for operating without a permit
- OAC Rule 3745-21-09(DDD)(3)(a)(i) for failure to keep records of gasoline deliveries
- OAC Rule 3745-21-09(DDD)(3)(a)(iii) for failure to keep records or maintenance performed on the Stage II system
- OAC Rule 3745-21-09(DDD)(3)(a)(vi) for failure to have a Stage II training certificate stating that a facility manager or operator attended and completed the training required by the Ohio EPA to operate a Stage II Gasoline Dispensing Facility (GDF)



- 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). CDAQ has no Stage II (Static Leak, Air-to-Liquid Ratio, or Dynamic Pressure) test results on file for the facility.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Snappy Gas Mart submit the following items:

- A completed Permit By Rule (PBR) application form (discussed June 7, 2011)
- A Stage II Compliance Specialist Certificate for a manager or operator
- Total quantity of gasoline delivered to the facility for July 2011
- Notification of when required Stage II testing is scheduled to be performed

The items listed above are to be mailed to the following enforcement representative:

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

Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.

The appropriate permit application(s) and supplemental form(s) are included with this letter. Please note that all permit applications submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided.

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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the facility name and address for Snappy Gas Mart.

Sincerely,

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

Linda Kimmy
Field Enforcement Manager

LK/AM

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\Unassigned\Snappy Gas Mart 4189
Ridge 2011-6-7 NOV.docx

encl: Permit By Rule (PBR) application form, Stage II Inspection Checklist form

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 4. 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:
Zayed Y. Zayed
Snappy Gas Mart
4189 Ridge Road
Cleveland, OH 44144

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by (Printed Name) C. Date of Delivery
Zayed Y Zayed 6/7/11

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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