



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 3500 0000 1759 5767
RETURN RECEIPT REQUESTED**

August 3, 2012

Darwin McClellan
Fleet Data Manager
City of Cleveland
Division of Motor Vehicle Maintenance
4150 East 49th St.
Cleveland, OH 44105

NON-HPV

FACILITY ID: 13-18-36-8023
NOTICE OF VIOLATION : Failing Annual Stage II testing

Dear Mr. McClellan:

On July 27, 2012, the Cleveland Division of Air Quality (CDAQ) inspected the City of Cleveland Division of Motor Vehicle Maintenance Harvard Yards gasoline dispensing facility (City of Cleveland Division of Motor Vehicle Maintenance) located at 4410 Harvard Avenue in Newburgh Heights. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

The City of Cleveland Division of Motor Vehicle Maintenance failed an Air-to-Liquid (A/L) ratio test on Terminal #51, pump #2 on July 27, 2012, for emissions unit (EU) G001: Gasoline dispensing facility with Stage I and Stage II controls. Failing to successfully pass the testing requirements specified in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2) while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle is a violation of Ohio Revised Code (ORC) Chapter 3704.05(G) and OAC Rule 3745-21-09(DDD)(1)(c).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that the City of Cleveland Division of Motor Vehicle Maintenance make the necessary repairs to Terminal #51, pump #2, conduct a re-test of the Air-to-Liquid Ratio test and then submit test results within thirty (30) days of receipt of this letter to the following enforcement representative:

Megan Murphy
Cleveland Division of Air Quality
75 Erievue Plaza 2nd Floor
Cleveland, Ohio 44114-1839



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

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for City of Cleveland: 13-18-36-8023.

Sincerely,

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

Valencia White
Chief of Enforcement, CDAQ

VW/mm LK

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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