



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
Cleveland, Ohio 44114-1839
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www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

CERTIFIED MAIL #70101870000065913288
RETURN RECEIPT REQUESTED

August 7, 2012

Amer Abuaun
Waterloo Gas and Go
15222 Waterloo Avenue
Cleveland, OH 44110

NON-HPV

FACILITY ID: 13-18-00-7932

NOTICE OF VIOLATION: Operating an emissions unit without applying for a permit and failing to perform Stage II testing

Dear Ms. Abuaun:

On July 3, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Waterloo Gas and Go (Gas and Go) located at 15222 Waterloo Avenue 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.

Gas and Go was operating a Gasoline Dispensing Facility (GDF), in violation of Ohio Administrative Code (OAC) rule 3745-31-02(A)(1)(c), in that Gas and Go failed to first obtain authority to operate the GDF through issuance of a permit-to-install/operate (PTIO). Gas and Go's failure to obtain a PTIO is also a violation of Ohio Revised Code (ORC) section 3704.05(F). During CDAQ's inspection, Raed Abuaun stated that Gas and Go has been dispensing gasoline since at least April 3, 2012.

Gas and Go has also failed to perform Stage II testing as required by Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(2), including a Dynamic Pressure test, a Static Leak test and an Air-to-liquid test. This is a violation of Ohio Administrative Code rule 3745-21-09(DDD)(1)(C).

In lieu of obtaining a PTIO, facilities can elect to operate legally as an air contaminant source under the permit-by-rule (PBR) exemption for gas stations if the gas station meets the qualifying criteria pursuant to the PBR exemption.

On July 30, 2012, CDAQ received a Permit-by-Rule Notification form from Gas and Go.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Gas and Go perform all required Stage II testing and submit test results within thirty (30) days of receipt of this letter to the following enforcement representative:

Andrew Kenney
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.

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 Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for Gas and Go: 13-18-00-7932.

Sincerely,

Valencia White

Chief of Enforcement, CDAQ

VW/ak UK

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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