



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview 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 7716
RETURN RECEIPT REQUESTED**

8/17/12

George Nahra
Nahra's Shell
33200 Aurora Rd.
Solon, OH 44139

NON HIGH PRIORITY FACILITY

FACILITY ID: 13-18-53-6834

NOTICE OF VIOLATION: Failure to conduct annual Stage II Vapor Recovery Testing; Failure to provide records of required maintenance; Failure to provide Stage II Vapor Recovery Training certificate of completion for operator or local manager

Dear Mr. Nahra:

On 8/15/12, the Cleveland Division of Air Quality (CDAQ) inspected Nahra's Shell located at 33200 Aurora Rd. in Solon. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Nahra's Shell failed to conduct the annual Air-to-Liquid Ratio test (A/L) and the Static Leak (SL) test as stipulated in Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(2). This is a violation of the OAC rule 3745-21-09(DDD)(1)(c), and Ohio Revised Code (ORC) Section 3704.05(C) and (G).

Additionally, Nahra's Shell did not have records of required maintenance and the Stage II Vapor Recovery training certificate available for review at the time of the inspection. This is a violation of OAC rule 3745-21-09(DDD)(3)(a)(iii and vi) and ORC Section 3704.05(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 Nagra's Shell submit copies of completed and passing Stage II Vapor recovery test results for A/L and SL, records of required maintenance and a copy of the Stage II Vapor Recovery training certificate for the operator or local manager to the following enforcement representative:

Dave DeChant
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 (\$25,000) 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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Nagra's Shell: 13-18-53-6834.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ddLK

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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