



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 6955
RETURN RECEIPT REQUESTED**

August 23, 2012

Elias Kassouf
Prime Properties Ltd. (Prime #6)
1370 West 6th Street, Suite 206
Cleveland, Ohio 44113

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-00-7317

NOTICE OF VIOLATION: Failure to perform Stage II Testing, failure to provide a copy of permit, failure to provide proof of attendance and completion of training required by Ohio EPA, and failure to provide a log of all repair and maintenance work performed.

Dear Mr. Kassouf:

On August 13, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Prime Properties Ltd. (Prime #6) located at 5110 Clark Avenue in Cleveland. This letter serves as notification that you are operating a source in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has determined that Prime #6 failed to perform an Air-to-Liquid (A/L) Ratio test, and a Static Leak test, within sixty (60) days of installation of a vapor control system for emission unit G001: Stage I and Stage II Gasoline Dispensing Facility as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09 (DDD)(2). This is a violation of OAC Rule 3745-21-09 (DDD)(1)(c), and Ohio Revised Code (ORC) Section 3704.05(C) and (G). Prime #6 has been in violation since July 16, 2012.

Prime #6 failed to provide a Stage II compliance specialist certificate at the time of the inspection, which is in violation of OAC Rule 3745-21-09 (DDD)(3)(a)(vi), and ORC Section 3704.05(C) which states; that any owner or operator of a gasoline dispensing facility must provide proof of attendance and completion of the training required by the Ohio EPA for the operator or local manager of the gasoline dispensing facility.



Prime #6 failed to provide a log of the date and description of all repair and maintenance work performed, which is in violation of OAC Rule 3745-21-09 (DDD)(3)(a)(iii), and ORC Section 3704.05(C).

Prime #6 failed to provide a copy of the most recent operating permit issued by Ohio EPA, which is in violation of OAC Rule 3745-21-09 (DDD)(3)(a)(v), 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 Prime #6 perform an A/L Ratio, and Static Leak test, and submit the test results within thirty (30) days from the test date as stipulated in OAC Rule 3745-21-09 (DDD)(2)(c), submit a copy of a Stage II compliance specialist certificate once the required training has been completed, submit a copy of a log of the date and description of all repair and maintenance work performed, and submit a copy of the most recent operating permit issued by Ohio EPA to the following enforcement representative:

Bryan Sokolowski
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 fourteen (14) 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Prime #6: 13-18-00-6866.

Sincerely,

A handwritten signature in black ink that reads "Valencia White".

Valencia White
Chief of Enforcement, CDAQ

VW/BS

cc: Jeff Allison, Prime Properties Ltd. (Prime #6)
Station Manager, Prime Properties Ltd. (Prime #6)
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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