



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 7003 1010 0004 2923 2822
RETURN RECEIPT REQUESTED**

October 25, 2011

Omar Zayed
S & T Food & Oil, Inc.
13441 Euclid Ave.
East Cleveland, OH 44112-4506

**FACILITY ID: 13-18-18-6612
NOTICE OF VIOLATION: Failing Stage II tests**

Dear Mr. Zayed:

On October 20, 2011, the Cleveland Division of Air Quality (CDAQ) inspected S & T Food & Oil, Inc. (S & T Shell) located at 13441 Euclid Avenue in East Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes or air regulations.

S & T Shell failed the Air to Liquid ratio (A/L) tests on pump No. 1. The failure 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 to a motor vehicle, are a violation of OAC Rule 3745-21-09(DDD)(1)(c) and the Ohio Revised Code (ORC) Section 3704.05(G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that S & T Shell make the repairs to pump No. 1, conduct a successful A/L re-test and then submit the test results to the following enforcement representative:

David Wagner
Cleveland Division of Air Quality
75 Erieview Plz., 2nd Fl.
Cleveland, OH 44114-1839

CDAQ must receive the test results within 30 days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, a written response that includes a timeline for correcting the alleged violations must be received within 30 days.



Violations of Ohio air pollution laws and /or permit terms and conditions are subject to the penalties stipulated in ORC Section 3704.99(A), which allows fines of not more than \$25,000 or imprisonment for not more than one year, or both, for each violation.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.state.oh.us/ocapp> or 614/644-3469 or 800/329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by the OCAPP.

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. If you have any questions, please call David Wagner at 216/664-3004. All correspondence with CDAQ must include the Ohio EPA facility identification number for S & T Shell: 13-18-18-6612.

Sincerely,

A handwritten signature in black ink that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager

LK/dlw

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\1318186612\2011-10-20 NOV.docx

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. 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.

A. Signature
 X *[Signature]* Agent Address

B. Received by (Printed Name) C. Date of Delivery
 11/23/11

1. Article Addressed to: ~~---~~00-18-6612 NOV
 OMAR ZAYED
 S & T FOOD & OIL
 13441 EUCLID AVE
 EAST CLEVELAND OH 44112

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

2. Article 7003 1010 0004 2923 2822
 (Transfer from service label)