



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 6993  
RETURN RECEIPT REQUESTED**

September 28, 2012

Darwin McClellan  
Fleet Data Manager  
Division of Motor Vehicle Maintenance  
4150 East 49<sup>th</sup> Street, Building #4  
Cleveland, Ohio 44105

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-00-7628**

**NOTICE OF VIOLATION: Failure to provide proof of attendance and completion of Stage II Training required by Ohio EPA**

Dear Mr. McClellan:

On September 6, 2012, the Cleveland Division of Air Quality (CDAQ) inspected the City of Cleveland Division of Motor Vehicle Maintenance – Joseph L. Stamps Service Center (Stamps) located at 4150 South Marginal Road 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.

During the inspection, Stamps failed to provide a Stage II compliance specialist certificate for Emission Unit (EU) G001: Stage I and Stage II Gasoline Dispensing Facility: Bennett Vac-Assist. This is a violation of OAC Rule 3745-21-09(DDD)(3)(a)(vi), 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.

Unless you undertake some type of corrective action with respect to the above noted violation, you will remain in non-compliance. CDAQ requests that Stamps submit a copy of a Stage II compliance specialist certificate within thirty (30) days of receipt of this letter to the following enforcement representative:

Bryan Sokolowski  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for City of Cleveland Division of Motor Vehicle Maintenance – Joseph L. Stamps Service Center: 13-18-00-7628.

Sincerely,

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

Valencia White  
Chief of Enforcement, CDAQ

VW/BS 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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