



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 2000 0002 6936 3211  
RETURN RECEIPT REQUESTED**

October 8, 2012

Denny Fee  
Responsible Official  
United Dairy Farmers #325  
3955 Montgomery Road  
Norwood, OH 45212

**NON-HIGH PRIORITY**

**FACILITY ID: 13-18-37-7469**

**NOTICE OF VIOLATION: Failure to complete static leak and air-to-liquid ratio  
Stage II vapor recovery testing for 2012**

Dear Mr. Fee:

On September 18, 2012, the Cleveland Division of Air Quality (CDAQ) inspected United Dairy Farmers #325 located at 24662 Lorain Road in North Olmsted. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Your operation of emissions unit G001: Stage I and Stage II Gasoline Dispensing Facility, as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2), was due to have a static leak test and air-to-liquid ratio test completed no later than September 15, 2012. This is a violation of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code 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 United Dairy Farmers #325 submit a corrective action plan which includes conducting the required static leak test and air-to-liquid ratio test, and submit the test results within thirty (30) days of testing, to the following enforcement representative:

Valerie Shaffer  
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 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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for United Dairy Farmers #325: 13-18-37-7469.

Sincerely,

A handwritten signature in cursive script that reads "Valencia S. White".

Valencia White  
Chief of Enforcement, CDAQ  
VW/vls *lx*

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\1318377469\2012-9-18 NOV.docx

encl: Ohio EPA Fact Sheet: Gasoline Dispensing Facilities