



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7358
RETURN RECEIPT REQUESTED**

11/5/12

Haitham Jaffal
HP Oil
7310 Lorain Ave.
Cleveland, OH 44102

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-00-6856

**NOTICE OF VIOLATION: Failure to Conduct Annual Stage II Vapor Control Testing
Within Last Twelve Months; Failure to Provide Required Records at the Time of Inspection**

Dear Mr. Jaffal:

On 10/26/12, the Cleveland Division of Air Quality (CDAQ) inspected HP Oil located at 7310 Lorain Ave. 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.

HP Oil failed to conduct Annual Static Leak (SL) and Air to Liquid Ratio (A/L) testing within the last twelve months on emissions unit (EU) G001: Gasoline Dispensing Facility (GDF) with Stage I & II vapor recovery equipment. The last passing SL and A/L test results received by CDAQ were performed 8/30/11. This is a violation of the Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(2)(f) and the Ohio Revised Code (ORC) Section 3704.05(C) and (G).

Additionally, HP Oil station personnel were unable to provide access to required recordkeeping documentation at the time of the inspection. This is a violation of OAC rule 3745-21-09(DDD)(3)(b) and ORC Section 3704.05 (C) and (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 HP Oil conduct annual SL and A/L testing and submit passing test results to the following enforcement representative:

Dave DeChant
Cleveland Division of Air Quality
75 Erievue 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.

Additionally, CDAQ requests that HP Oil make appropriate arrangements for all station personnel to have access to required recordkeeping documentation. A follow-up inspection will be conducted within the next thirty (30) days to verify compliance.

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 HP Oil: 13-18-00-6856.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ddLK

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
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