



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 2000 0002 6936 3358
RETURN RECEIPT REQUESTED

December 20, 2012

Roman Gaid
Noble Gas
2610 Noble Rd.
Cleveland Heights, OH 44121-2135

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-16-7085

NOTICE OF VIOLATION: Failure to operate a vapor recovery system free of defects

Dear Mr. Gaid:

On December 4, 2012, the Cleveland Division of Air Quality (CDAQ) inspected Noble Gas located at 2610 Noble Road in Cleveland Heights. 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 above noted inspection date, CDAQ witnessed annual Stage II tests at Noble Gas. The third-party test technician observed that two of the three coaxial poppet drop tubes were malfunctioning. Operating a Stage II vapor recovery system that is not free of defects is a violation of Ohio Administrative Code Rules 3745-21-09(DDD)(1) and (2) and Ohio Revised Code (ORC) Section 3704.05(G). Consequent to the malfunctioning drop tubes, the test technician determined that the Static Leak Stage II test could not be conducted.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Noble Gas repair the Stage II vapor recovery system and complete the appropriate Stage II tests within 30 days of receipt of this letter. Please note that test results are required to be submitted to CDAQ within 30 days following the tests.

If there is insufficient time to correct the alleged violations within this timeframe, your written response must include a timeline for correcting the alleged violations. Please submit any future correspondence related to this matter including the test results to the following enforcement representative:

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



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.

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 Noble Gas: 13-18-16-7085.

Sincerely,

Valencia White

Chief of Enforcement, CDAQ

VW/dlw

 cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Brian Dickens, U.S. EPA Region V
L:\Data\Facilities\1318167085\2012-12-04 NOV.docx