



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 7011350000017598546
RETURN RECEIPT REQUESTED**

March 6, 2013

Peggie Betz
7-Eleven, Store No. 36237
1722 Routh Street, Suite 1000
Dallas, TX 75201

**FACILITY ID: 13-18-00-6913
RE: 1035 East 185th Street, Cleveland, OH 44119
NOTICE OF VIOLATION: Failure to successfully pass Stage II testing on dispenser
14**

Dear Ms. Betz:

On February 21, 2013, the Cleveland Division of Air Quality (CDAQ) witnessed Stage II testing at 7-Eleven No. 36237, located at 1035 East 185th Street in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has determined that 7-Eleven No. 36237, failed the Air to Liquid Ratio test on pump #14 on Emission Unit G001: Stage I and Stage II Gasoline Dispensing Facility, OPW/12 VW. This is also a violation of Ohio Administrative Code (OAC) rule 3745-21-09(DDD)(1)(c), in that applicable Stage II testing, as contained in OAC rule 3745-21-09(DDD)(2), has not successfully passed. This is also a violation of 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 7-Eleven No. 36237 schedule and retest the Air to Liquid Ratio on pump #14, and submit the test results within thirty (30) days, to the following enforcement representative:

Roman Fedorko
Cleveland Division of Air Quality
75 Erievue Plaza, 2nd Floor
Cleveland, Ohio 44114-1839



If there is insufficient time to correct the alleged violations within this timeframe, a written response to this letter must be received by CDAQ within fourteen (14) days of your receipt of this letter. 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 Roman Fedorko at 216-664-4794. All correspondence with CDAQ must include the Ohio EPA facility identification number for 7-Eleven No. 36237: 13-18-00-6913.

Sincerely,

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

Valencia White
Chief of Enforcement, CDAQ

VW/rf

cc: 7-Eleven No. 36237, 1035 East 185th St., Cleveland, OH 44119
Nicholas Black, Site Mngr.
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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