



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 8560  
RETURN RECEIPT REQUESTED

March 27, 2013

Khaled Salman  
Owner  
Convenient Food Mart  
4475 Pearl Road  
Cleveland, OH 44109-4223

**NON-HIGH PRIORITY FACILITY**

**FACILITY ID: 13-18-00-8185**

**NOTICE OF VIOLATION: Failure to submit a Permit-to-Install/Operate (PTIO) application for the operation of your gasoline dispensing facility**

Dear Mr. Salman:

On March 13, 2013, the Cleveland Division of Air Quality (CDAQ) inspected Convenient Food Mart located at 4475 Pearl Road 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.

Your operation of emissions unit (EU) G001: Gasoline Dispensing facility with Stage II vapor controls, is in violation of Ohio Administrative Code (OAC) rule 3745-31-02(A)(1)(b), in that you failed to first obtain authority to operate EU G001 through the issuance of a Permit-to-Install/Operate (PTIO). Your failure to first obtain authority to operate EU G001 through the issuance of a PTIO is also a violation of Ohio Revised Code (ORC) section 3704.05(F). Convenient Food Mart has been in violation of OAC rule 3745-31-02(A)(1)(b) and ORC section 3704.05(F) since you took ownership of the site in 2011. A PTIO application form with instructions can be found on Ohio EPA's Website at:

<http://www.epa.ohio.gov/dapc/permits/permits.aspx>.

Please note that in lieu of obtaining a PTIO, facilities can elect to operate legally as an air contaminant source under the Permit-by-Rule (PBR) exemption for gas stations if the gas station meets the qualifying criteria pursuant to the PBR exemption under OAC rule 3745-31-03(A)(4)(i): Gasoline dispensing facility with Stage I and Stage II controls PBR. PBR information and a PBR notification form are included with this letter.



Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Convenient Food Mart submit the required PTIO application, or PBR notification form, within thirty (30) days from your receipt of this letter, to the following:

Permit Section  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, OH 44114-1839

Please note that all permit applications submitted to CDAQ must include original signatures. Photocopied signatures are not valid; the application will not be accepted by CDAQ and will be returned to you if original signatures are not provided. Permit applications may also be completed through the Ohio EPA eBusiness center at <https://ebiz.epa.ohio.gov/>. An account is required to be created and a pin number assigned.

If there is insufficient time to correct the alleged violation within this timeframe, you must submit a letter indicating the need for more time that includes a timeline for correcting the above violation, within (14) days of your receipt of this letter, to the following enforcement representative:

Roman Fedorko  
Cleveland Division of Air Quality  
75 Erieview Plaza 2<sup>nd</sup> Floor  
Cleveland, OH 44114-1839

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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518. CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

OCAPP can also provide assistance to facilities that want to investigate methods of pollution prevention to reduce raw material usage and waste production. Again, there is no charge for their services.



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 Convenient Food Mart: 13-18-00-8185.

Sincerely,

A handwritten signature in black ink, appearing to read "Valencia White" with "for V.W." written to the right.

Valencia White  
Chief of Enforcement, CDAQ

VW/rf

Handwritten initials, possibly "RF", in black ink.

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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encl: PBR notification form and instructions