



State of Ohio Environmental Protection Agency

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JUN 3 2004

CERTIFIED MAIL

Ms. Laura Lyden  
True North Energy, LLC  
3711 LeHaps Road  
Youngstown, Ohio 44515

Re: Violations of OAC Chapter 3745-31 (Permit-to-Install New Sources of Pollution)

Dear Ms. Lyden:

The City of Cleveland's Department of Public Health, Division of Air Quality ("CDAQ"), Ohio EPA's contractual representative in Cuyahoga County, has informed me that True North Energy has installed thirteen gasoline dispensing facilities ("GDFs") in the Cleveland area without obtaining the proper permits-to-install ("PTIs") pursuant to OAC Chapter 3745-31. Failure to apply for and obtain PTIs prior to the installation of air contaminant sources is in violation of OAC Rule 3745-31-02 and ORC §3704.05(G).

In a Notice of Violation ("NOV") dated September 18, 2003, CDAQ informed you of these violations and requested True North Energy submit PTI applications for these GDFs. True North Energy has submitted these applications and the PTIs have been issued.

The GDFs included in the NOV were installed in the 1970s and 1980s. Because these violations were only administrative in nature and occurred so long ago, Ohio EPA will not pursue further enforcement action against True North Energy for these violations. However, I urge you to review the status of other GDFs that True North Energy operates in the Cleveland area to assure each was installed and is operating with the proper permits.

If you have questions concerning this matter, please contact Andrew Shroads at the CDAQ (219-664-2324) or Jim Tichich at Ohio EPA's Division of Air Pollution Control (614-644-4844).

Sincerely,

Christopher Jones  
Director

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

True North Energy, LLC  
Director's Warning Letter  
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cc: Andrew Shroads, CLAA  
Bob Hodanbosi (2 copies), DAPC  
Jim Orlemann, DAPC/CO  
Jim Tichich, DAPC/CO  
Tom Kalman, DAPC  
Steve Feldmann, Legal

CJ:JT:jt