



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 9185
RETURN RECEIPT REQUESTED**

August 19, 2013

Yousef Khanfar
Owner
Hanan Al-Malalha (dba Sunoco Food Mart)
4591 Green Road
Warrensville Heights, Ohio 44128

NON-HIGH PRIORITY FACILITY

FACILITY ID: 13-18-59-6267

NOTICE OF VIOLATION: Failed annual Stage II compliance test.

Dear Mr. Khanfar:

On August 8, 2013, the Cleveland Division of Air Quality (CDAQ) received failed test results from Hanan Al-Malalha dba Sunoco Food Mart (Sunoco Food Mart) located at 4591 Green Road in Warrensville 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.

On August 8, 2013, Sunoco Food Mart failed an Air-to-Liquid (A/L) ratio test on Emission Unit (EU) G001: Stage I and Stage II Gasoline Dispensing Facility, for dispensers #2, #3, #4, #5, and #6 on all grades of gasoline. The failure to successfully pass the testing requirements in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2) for dispensers #2, #3, #4, #5, and #6 while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle is a violation of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code (ORC) 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 Sunoco Food Mart make the necessary repairs to dispensers #2, #3, #4, #5, and #6, then re-test the A/L ratio and submit the re-test results within thirty (30) days from the respective test date to the following enforcement representative:

Bryan Sokolowski
Cleveland Division of Air Quality
75 Erieview 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.

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.

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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Hanan Al-Malalha dba Sunoco Food Mart: 13-18-59-6267.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/BS

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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