



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Eneview Plaza, Suite 200
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 7003 1010 0004 2923 4185
RETURN RECEIPT REQUESTED**

January 25, 2011

Sayed Mustafa
Hanini Petroleum
13900 Kinsman Road
Cleveland, Ohio 44120

**FACILITY ID: 13-18-00-6924
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Mustafa:

On December 8, 2010, the Cleveland Division of Air Quality (CDAQ) issued a second Notice of Violation (NOV) requiring Hanini Petroleum to conduct a retest of the Air-to-Liquid Ratio on dispenser #3, and to post appropriate operating instructions on dispensers #3 and #8 to prohibit the "topping off" of the motor vehicle tank.

CDAQ witnessed a passing result of the A/L Ratio test for dispenser #3 on December 22, 2010; however, the posting of "no topping off" instructions were still absent from dispensers #3 and #8. In response, CDAQ issued a Receipt of Correction Action letter on January 10, 2011, acknowledging that failure to post conspicuous operating instructions in each gasoline dispensing area was a violation of Ohio Administrative Code Rule 3745-21-09(DDD)(1) and Ohio Revised Code Chapter 3704.05(G). Furthermore, CDAQ requested Hanini Petroleum to adequately post "no topping off" instructions in dispensing areas #3 and #8 within fourteen days of your receipt of the January 10, 2011 letter.

On January 20, 2011, CDAQ received a telephone call from Hanini Petroleum indicating that "no topping off" instructions were posted on dispensers #3 and #8. The corrective action was completed and appropriate steps were taken to bring your gasoline dispensing facility into compliance. CDAQ has determined that no further enforcement action is warranted at this time, but reserves its right to take such action in the future if necessary.



CDAQ issues this letter with Ohio EPA's concurrence and 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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for Hanini Petroleum: 13-18-00-6924.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/vls

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318006924\2010-10-13 NEAR.docx

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Hendrix Petroleum
 Attn: Sayed vanstafan
 13900 Kinsman Rd
 Cleveland, OH 44120

2. Article Number

(Transfer from service label)

7003 1010 0004 2923 4185

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Address

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1/25/11

D. Is delivery address different from item 1? Yes

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