



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview 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 6257
RETURN RECEIPT REQUESTED**

August 18, 2011

Yousef Khanfar
Hanan Al-Malalha dba Sunoco Mini Food Mart
4591 Green Road
Warrensville Hts., Ohio 44128

FACILITY ID: 13-18-59-6267

NOTICE OF VIOLATION: Failure to pass Air-to-Liquid ratio Stage II testing

Dear Mr. Khanfar:

On August 9, 2011, the Cleveland Division of Air Quality (CDAQ) inspected Sunoco Mini Food Mart located at 4591 Green Road in Warrensville Hts. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Sunoco Mini Food Mart failed to successfully pass an Air-to-Liquid (A/L) ratio test on the mid-grade and premium gasoline dispensers on pump #5. Additionally, the A/L ratio test failed on the mid-grade gasoline dispenser on pump #8. A/L ratio testing is required pursuant to Ohio Administrative Code (OAC) 3745-21-09(DDD)(2). The failure to successfully pass the testing requirements in OAC Rule 3745-21-09(DDD)(2) while causing, allowing or permitting the transfer of gasoline from a stationary storage tank into a motor vehicle are also violations of OAC Rule 3745-21-09(DDD)(1)(c) and Ohio Revised Code Section (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 Mini Food Mart make the necessary repairs to the vapor control equipment, conduct a re-test of the A/L ratio test, and submit the test results within thirty (30) to the following enforcement representative:

Valerie Shaffer
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839



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 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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for Sunoco Mini Food Mart: 13-18-59-6267.

Sincerely,

Linda Kimmy
Field Enforcement Manager

LK/vls

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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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:

HANAN Al-Malatha
 Sunbulo
 4591 Green Road
 Warrensville Hts., OH 44128

2. Article Number

(Transfer from service label)

7003 1010 0004 2923 6257

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Ther...* Agent Addressee

B. Received by (Printed Name)

X Abdo.

C. Date of Delivery

K

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

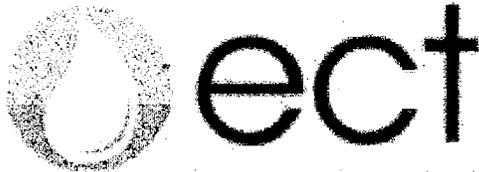
CLEVELAND DEPT OF PUBLIC HEALTH
DIVISION OF AIR QUALITY
VALERIE SHAFFER
75 ERIEVIEW PLAZA - 2TH FLOOR
CLEVELAND, OH 44114

1318596267

NOV

9/24/11
ref'd back to
me
MS

1316 596267



Environmental Compliance Technologies

A/L TEST SUMMARY OF TEST RESULTS

Pretest A/L pumps # 5/8

Rec'd 9/14/11 via email

| GDF NAME AND ADDRESS | |
|--------------------------------|--|
| Location #4591 | |
| SUNOCO-GREEN RD | |
| 4591 GREEN RD | |
| WARRENSVILLE HEIGHTS, OH 44128 | |

| | |
|----------------------|---------------|
| TYPE OF DISPENSER | WAYNE-OTHER |
| TYPE OF VAPOR SYSTEM | VACCUM ASSIT. |

| | |
|------------------|---------------------|
| TESTING UNIT | TRI TESTER #0615483 |
| SERIAL # | 0615483 |
| CALIB. DATE | 8/18/2010 |
| NEXT CALIB. DATE | 8/18/2011 |

| PUMP # | GAS GRADE | NOZZLE MODEL & SERIAL | GASOLINE PUMPED GALLONS | ALLOWABLE FLOW RATE PER MINUTE | FLOW RATE PER MINUTE | FLOWRATE PASS/FAIL | ALLOWABLE A/L RATE RANGE | A/L RATE | A/L RATE PASS/FAIL | PASS/FAIL |
|--------|-----------|-----------------------|-------------------------|--------------------------------|----------------------|--------------------|--------------------------|----------|--------------------|-----------|
| 5 | MID | OPW 12VW | 3 | 6 - 10 | 7.98 ✓ | PASS | 0.9 - 1.1 | 0.98 ✓ | PASS | PASS |
| 5 | PRE | OPW 12VW | 3 | 6 - 10 | 7.01 ✓ | PASS | 0.9 - 1.1 | 0.93 ✓ | PASS | PASS |
| 5 | REG | OPW 12VW | 3 | 6 - 10 | 7.01 ✓ | PASS | 0.9 - 1.1 | 0.98 ✓ | PASS | PASS |
| 8 | MID | OPW 12VW | 3 | 6 - 10 | 8.24 ✓ | PASS | 0.9 - 1.1 | 0.98 ✓ | PASS | PASS |
| 8 | PRE | OPW 12VW | 3 | 6 - 10 | 7.28 ✓ | PASS | 0.9 - 1.1 | 0.95 ✓ | PASS | PASS |
| 8 | REG | OPW 12VW | 3 | 6 - 10 | 7.08 ✓ | PASS | 0.9 - 1.1 | 0.98 ✓ | PASS | PASS |

| TESTERS NAME | SIGNATURE | DATE |
|---------------|-----------|----------|
| JAMES REARDON | | 9/6/2011 |

| | |
|--------------|-----------------|
| WITNESSED BY | VALERIE SHAFFER |
|--------------|-----------------|

COMMENTS:



City of Cleveland
Frank G. Jackson, Mayor

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**SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY**

**CERTIFIED MAIL 7003 1010 0004 2923 6158
RETURN RECEIPT REQUESTED**

September 15, 2011

Yousef Khanfar
Hanan Al-Malalha dba Sunoco Mini Food Mart
4591 Green Road
Warrensville Hts., Ohio 44128

**FACILITY ID: 13-18-59-6267
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Khanfar:

On August 18, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Sunoco Mini Food Mart to make the necessary repairs to the vapor control equipment, conduct a retest of the Air-to-Liquid (A/L) ratio test on pumps #5 and #8, and submit the test results to CDAQ. Your annual A/L ratio test had originally failed on pumps #5 and #8 on August 9, 2011. However, the A/L ratio retest was conducted on September 6, 2011, and both pumps successfully passed. CDAQ is in receipt of the passing test results as of September 14, 2011.

Your corrective actions were conducted in a timely manner 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 Sunoco Mini Food Mart: 13-18-59-6267.

Sincerely,

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/vls

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
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