



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 2000 0002 6936 2719  
RETURN RECEIPT REQUESTED**

June 21, 2012

Robert E. Smith, Jr.  
Owner  
B & B Marathon  
26005 Chardon Road  
Richmond Hts., Ohio 44143

**FACILITY ID: 13-18-48-6251**

**RETURN TO COMPLIANCE  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Smith:

On March 30, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation (NOV) requiring B & B Marathon to submit an annual Permit Evaluation Report (PER) for 2011, regarding the operation of emissions unit G001: Gasoline Dispensing Facility using Stage II vapor control. Additionally, on May 1, 2012, CDAQ issued a second NOV regarding B & B Marathon's failure to submit the annual PER, which was due no later than February 15, 2012.

However, CDAQ is in receipt of the 2011 PER as of June 15, 2012. 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 B & B Marathon: 13-18-48-6251.

Sincerely,

A handwritten signature in cursive script that reads 'Valencia White'.

Valencia White  
Chief of Enforcement, CDAQ

VW/vls LK

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