



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue 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 7009 3410 0002 1934 0410
RETURN RECEIPT REQUESTED**

June 29, 2010

Sam Abdelqader
Harvard Friends, LLC
17510 Harvard Ave.
Cleveland, OH 44128

NON-HPV

FACILITY ID: 13-18-00-6162
NOTICE OF VIOLATION: Failing Stage II testing

Dear Mr. Abdelqader:

On June 28, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Harvard Friends, LLC dba Harvard Sunoco (Harvard Sunoco) located at 17510 Harvard Avenue in Cleveland. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

On June 28, 2010, Harvard Sunoco failed an Air-to-Liquid Ratio (A/L) test on dispenser #3 and the blockage test on dispensers #3 and #4. Failure to successfully pass the testing requirements specified in Ohio Administrative Code (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 is a violation of Ohio Revised Code (ORC) Chapter 3704.05(G) and OAC Rule 3745-21-09(DDD)(1)(c). The Static Leak (SL) test passed at this time.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Harvard Sunoco make the necessary repairs to dispensers #3 and #4 and conduct a re-test of the A/L Ratio and blockage tests and submit the test results within thirty (30) days to the following enforcement representative:

Megan Murphy
Cleveland Division of Air Quality
75 Erievue Plaza 2nd Floor
Cleveland, Ohio 44114-1839

If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received within thirty (30) days of receipt of this letter.



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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Harvard Sunoco: 13-18-00-6162.

Sincerely,

Linda Krimm for G.B.
George Baker
Chief of Enforcement

GB/mm

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318006162\2010-6-28 NOV.doc

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, 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:

Sam Abdelqader
Harvard Sunoco
17510 Harvard Ave.
Cleveland, OH 44128

2. Article Number
(Transfer from service label)

7009 3410 0002 1934 0410

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature
x *Ben Aslanov* Agent Address

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
if 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

Domestic Return Receipt

102595-02-M-15