



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
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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 70093410000219339728
RETURN RECEIPT REQUESTED**

January 31, 2011

Zayed Shehadeh
ZKS 130 Inc (West 130th Street Marathon)
3935 West 130th
Cleveland, OH 44111

**FACILITY ID: 13-18-00-6881
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Shehadeh:

On June 7, 2010, August 3, 2010, and September 7, 2010, the Cleveland Division of Air Quality (CDAQ) issued Notices of Violations requesting that ZKS 130 Inc (West 130th Street Marathon) submit:

- either a permit-to-install/operate (PTIO) application or a permit-by-rule (PBR) notification,
- city permit fees for 2006, 2007, 2008, 2009 and 2010, and
- Stage II test results

On November 1, 2010, CDAQ issued a Receipt of Corrective Action Plan stating that CDAQ had received

- A PBR notification on September 27, 2010, and
- Passing Stage II test results that were performed on August 13, 2010, and received on October 22, 2010

Appropriate steps have been taken to bring the source into compliance with state regulations. However, ZKS 130 Inc (West 130th Street Marathon) remains in violation of City of Cleveland Codified Ordinances 259.01 and 263.01 by failing to obtain city permits-to-operate for 2006, 2007, 2008, 2009 and 2010 by submitting city permit fees for each year.

CDAQ requests that ZKS 130 Inc (West 130th Street Marathon) obtain 2006, 2007, 2008, 2009 and 2010 city permits-to-operate by submitting city permit fees for each year.

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 Andrew Kenney at 216-420-7683. All correspondence with CDAQ must include the Ohio EPA facility identification number for ZKS 130 Inc (West 130th Street Marathon): 13-18-00-6881.

Sincerely,

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

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/ak

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318006881\2010-6-7 NEAR.doc

encl: City permit fee invoices for calendar years 2006, 2007, 2008, 2009 and 2010