



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 7009 3410 0002 1934 1349  
RETURN RECEIPT REQUESTED**

2/7/11

Adnan Mansour  
Marathon Kinsman #9537  
12502 Kinsman Ave.  
Cleveland, OH 44120

**FACILITY ID: 13-18-00-7557**

**NOTICE OF VIOLATION : Failing Stage II testing in two consecutive attempts**

Dear Mr. Mansour:

On 12/29/10, the Cleveland Division of Air Quality (CDAQ) witnessed Stage II re-testing at Marathon Kinsman #9537 located at 12502 Kinsman Road 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 10/26/10, Marathon Kinsman #9537 conducted annual Stage II testing and failed to pass a Static Leak (SL) test and the Air-to-Liquid (A/L) Ratio test on dispensers #3 and #4.

A re-test was conducted on 12/29/10. Dispensers #3 and #4 passed the A/L test, however the SL test failed again.

On 1/20/11, CDAQ personnel witnessed a successful SL re-test.

Failing two consecutive Stage II tests in two consecutive years/attempts has caused your facility to be subject to the Ohio EPA Gasoline Dispensing Facility (GDF) Enforcement Policy. The above facts will be referred to the Ohio EPA for evaluation.

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 Dave DeChant at 216-664-3213. All correspondence with CDAQ must include the Ohio EPA facility identification number for Marathon Kinsman #9537: 13-18-00-7557.

Sincerely,

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

Linda Kimmy  
Field Enforcement Manager

LK/dd

cc: George P. Baker, CDAQ  
Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
William MacDowell, USEPA, Region V  
Facility File and L:\Data\Facilities\1318007557\2011-2-3 NOV.doc

**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:

Adnan Mansour  
 Marathon Kinsman #9537  
 12502 Kinsman Ave.  
 Cleveland, OH 44120

2. Article Number  
*(Transfer from service label)*

*13-18-00-7537*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 *Mansour*  Addressee

B. Received by (*Printed Name*) *Mansour* C. Date of Delivery *2-11*

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

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