



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 7002 2030 0001 1808 9388
RETURN RECEIPT REQUESTED**

11/1/10

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

FACILITY ID: 13-18-00-7557
NOTICE OF VIOLATION: Failure to pass Stage II Testing

Dear Mr. Mansour:

On 10/26/10, the Cleveland Division of Air Quality (CDAQ) witnessed testing at Marathon Kinsman #9537 located at 12502 Kinsman 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.

Marathon Kinsman #9537 conducted a Static Leak (SL) test on 10/26/10. The SL test failed at this time. Additionally, Air to Liquid Ratio (A/L) testing was conducted and due to excessive vapor leakage from the vacuum motors on pumps 3 and 4 they could not be tested. The 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).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Marathon Kinsman #9537 complete necessary repairs, then conduct a re-test of the SL test and the A/L Ratio test. Submit the test results to the following enforcement representative within thirty (30) days of receipt of this letter.

Dave DeChant
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, submit a written response which includes a timeline for correcting the alleged violations 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 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,

Lynda Krimmy for G.B.

George Baker
Chief of Enforcement

GB/dd

cc: Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, USEPA, 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:

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

2. Article Number

*(Transfer from service label)*13-18-00-7557**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Adnan Mansour* Agent AddresseeB. Received by (*Printed Name*)

C. Date of Delivery

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

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