



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 7002 2030 0001 1807 9389
RETURN RECEIPT REQUESTED

January 5, 2010

Mohammad Al Ahmad
Open Pantry
5222 Fleet Avenue
Cleveland, OH 44105

NON-HPV

FACILITY ID: 13-18-00-7929

NOTICE OF VIOLATION / NOTICE OF VIOLATION FOLLOW-UP LETTER:
FAILING 2009 STAGE II TESTING

Dear Mr. Al Ahmad:

On November 17, 2009, the Cleveland Division of Air Quality (CDAQ) received Stage II test results for Reham Food Mart, Inc. located at 7910 Harvard Avenue in Cleveland. This letter serves as notification that you have operated sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

Reham Food Mart, Inc. failed an Air-to-Liquid Ratio Test on pumps #3 and #4 on September 15, 2009. 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, was a violation of Ohio Revised Code (ORC) Chapter 3704.05(G) and OAC Rule 3745-21-09(DDD)(1)(c).

A retest was performed and passed later in the same day, September 15, 2009, on pumps #3 and #4. Appropriate steps were taken to bring the source 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. Separate correspondence will be issued concerning the failure of these required tests in two consecutive years.



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 Andrew Marantides at (216) 420-8049. All correspondence with CDAQ must include the Ohio EPA facility identification number for Reham Food Mart, Inc.: 13-18-00-7929.

Sincerely,

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

GB/AM

cc: Richard Nemeth and Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
Lisa Holscher, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318007929\2010-01-05 NOVFL.docx

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:

Mohammad Al Ahmad
Open Pantry
5222 Fleet Avenue
Cleveland, OH 44105

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

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

L. ... 1/12/11

D. Is delivery address different from item 1? Yes
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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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