



City of Cleveland  
Frank G. Jackson, Mayor

Department of Public Health  
Division of Air Quality  
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Cleveland, Ohio 44114-1839  
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**SERVING OHIO EPA AS AGENCY 13  
FOR CUYAHOGA COUNTY**

October 27, 2010

Jack Hirsch  
Hirsch's Marathon  
455 W. Bagley Road  
Berea, Ohio 44017

**FACILITY ID: 13-18-06-6723  
NOTICE OF VIOLATION FOLLOW-UP LETTER**

Dear Mr. Hirsch:

On September 22, 2010, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring Hirsch's Marathon to conduct a re-test of the Air-to-Liquid (A/L) Ratio on all dispensers, and to post "No Topping Off" stickers on all dispensers. CDAQ is in receipt of passing A/L testing results from testing conducted on October 19, 2010. Additionally, CDAQ spoke to you on October 27, 2010, and confirmed the posting of operating instructions which specifically prohibit the topping off of the motor vehicle fuel tank.

The corrective actions were conducted in a timely manner and appropriate steps were taken to bring your gasoline dispensing facility 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.

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 Valerie Shaffer at (216) 664-6292. All correspondence with CDAQ must include the Ohio EPA facility identification number for Hirsch's Marathon: 13-18-06-6723.

Sincerely,

*Linda Kimmy for G.B.*  
George Baker  
Chief of Enforcement, CDAQ

GB/vls

cc: John Paulian, Ohio EPA Central Office  
William MacDowell, USEPA, Region V  
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