



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 7009 3410 0002 1934 0564  
RETURN RECEIPT REQUESTED**

July 12, 2010

Ebrahiam Najar  
Pearl Road American Petroleum  
1160 Gold Crest Dr.  
Medina, OH 44256

NON-HPV

**FACILITY ID: 13-18-55-6321**  
**NOTICE OF VIOLATION: Failing Annual Stage II testing**

Dear Mr. Najar:

On July 12, 2010, the Cleveland Division of Air Quality (CDAQ) inspected Pearl Road American Petroleum dba Gas N Food (Gas N Food) located at 8952 Pearl Road in Strongsville. 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 July 12, 2010, Gas N Food failed an Air-to-Liquid Ratio (A/L) test on dispensers #3 and #4. 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). The Static Leak (SL) and blockage tests passed at this time.

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that Gas N Food complete the necessary repairs to dispenser #3/4 and conduct a re-test of the Air-to-Liquid Ratio test, then submit test results within thirty (30) days to the following enforcement representative:

Megan Murphy  
Cleveland Division of Air Quality  
75 Erievue Plaza 2<sup>nd</sup> Floor  
Cleveland, Ohio 44114-1839



If there is insufficient time to correct the alleged violations within this timeframe, a written response which includes a timeline for correcting the alleged violations must be received 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.

Free assistance with state and/or federal regulations, rules, laws or permit conditions can be provided at no charge through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP can be contacted at <http://www.epa.ohio.gov/ocapp> or (614) 644-3469 or (800) 329-7518.

CDAQ makes no guarantee that the facility will meet the qualifying guidelines established by OCAPP.

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 Megan Murphy at 216-664-4258. All correspondence with CDAQ must include the Ohio EPA facility identification number for Gas N Food: 13-18-55-6321.

Sincerely,

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

GB/mm

cc: Michael J. Krzywicki, CDAQ  
John Paulian, Ohio EPA Central Office  
Lisa Holscher, U.S. EPA Region V  
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Cleveland Division of Air Quality  
Attn: Megan Murphy  
75 Erieview Plaza 2nd Fl.  
Cleveland, OH 44114

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- 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:

Abraham Najan  
 Pearl Rd. AP  
 1160 Gold Crest Dr.  
 Medina, OH 44256

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

 *E. Najan*
 Agent Addressee

B. Received by (Printed Name)

*E. Najan*

C. Date of Delivery

7/15/06

D. Is delivery address different from Item 1?  YesIf YES, enter delivery address below:  No

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2. Article Number

(Transfer from service label)

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