



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erievue Plaza, Second Floor
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

FEDEX

October 1, 2012

Brian Logue
EL Hage Marathon
415 Hines Hill Road
Hudson, Ohio 44236

FACILITY ID: 1318228253

RESOLUTION OF VIOLATIONS
NOTICE OF VIOLATION FOLLOW-UP LETTER

Dear Mr. Logue:

On August 28, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requiring EL Hage Marathon located at 5571 Turney Road in Garfield Heights to complete testing as scheduled on August 29, 2012, and submit the test results. CDAQ is in receipt of the Stage II test result on August 29, 2012.

The corrective action plan was received in a timely manner and 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.

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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA facility identification number for EL Hage Marathon: 1318228253.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ms *lk*

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
L:\Data\Facilities\1318228253\2012-08-10 ROV + NEAR.docx



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
Cleveland, Ohio 44114-1839
216/664-2297 • Fax: 216/420-8047
www.clevelandhealth.org

SERVING OHIO EPA AS AGENCY 13
FOR CUYAHOGA COUNTY

FEDEX

September 24, 2012

Brian Logue
EL Hage Marathon
415 Hines Hill Road
Boston Heights, Ohio 44236

FACILITY ID: 1318228253
GENERAL LETTER

Dear Mr. Logue:

On August 28, 2012, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation via certified mail to the following address, 415 Hines Hill Road, Boston Heights, Ohio, 44236 regarding a Notice of Violation for failing to conduct Stage II testing for EL Hage Marathon located at 5571 Turney Road in Garfield Heights.

On September 9, 2012, CDAQ received the letter back as Return to Sender. Enclosed is the unopened letter of the Notice of Violation that was issued on August 28, 2012. You are expected to respond to the violation within thirty (30) days of receipt of this letter.

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 Mike Samec at 216-420-7682. All correspondence with CDAQ must include the Ohio EPA Facility ID number: 1318228253.

Sincerely,

Valencia White
Chief of Enforcement, CDAQ

VW/ms *W*

cc: George P. Baker, CDAQ
Michael J. Krzywicki, CDAQ
John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
L:\Data\Facilities\1318228253\2012-08-10 GL.docx

encl: August 28, 2012, Notice of Violation: FAILING TO CONDUCT STAGE II TESTING

Samec, Michael

From: trackingupdates@fedex.com
Sent: Thursday, September 27, 2012 11:17 AM
To: Samec, Michael
Subject: FedEx Shipment Notification

This tracking update has been requested by:

Company Name: Cleveland DeptPublic Health
Name: Nancy Hoislbauer
E-mail: nhoislbauer@city.cleveland.oh.us

Nancy Hoislbauer of Cleveland DeptPublic Health sent Edward Rumph of HEZ Enterprises 1 FedEx Standard Overnight package(s).

This shipment is scheduled to be sent on 09/27/2012.

Reference information includes:

Reference: Hez Enterprises -MSamec
Special handling/Services: Deliver Weekday
Status: Shipment information sent to FedEx
Tracking number: [799064142472](#)

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

To learn more about FedEx Express, please visit our website at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Health
Division of Air Quality
75 Erieview Plaza, Second Floor
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 7011 3500 0000 1759 7105
RETURN RECEIPT REQUESTED**

August 28, 2012

Brian Logue
EL Hage Marathon
415 Hines Hill Road
Boston Heights, Ohio 44236

NON-HIGH PRIORITY FACILITY

FACILITY ID: 1318228253

NOTICE OF VIOLATION: FAILING TO CONDUCT STAGE II TESTING

Dear Mr. Logue:

On August 10, 2012, the Cleveland Division of Air Quality (CDAQ) inspected EL Hage Marathon located at 5571 Turney Road in Garfield Heights. This letter serves as notification that you are operating sources in violation of the following applicable air statutes, air regulations, or air permit conditions.

CDAQ has determined that EL Hage Marathon failed to perform an annual Air-to-Liquid Ratio test, and a Static Leak test on emission unit G001: Stage II Gas Dispensing Facility Marconi/Gilbarco, as stipulated in Ohio Administrative Code (OAC) Rule 3745-21-09(DDD)(2). This is a violation of your permit-by-rule issued on October 20, 2010, OAC 3745-21-09(DDD)(2)(c), and Ohio Revised Code Section 3704.05(C) and (G).

Unless you undertake some type of corrective action with respect to the above noted violations, you will remain in non-compliance. CDAQ requests that EL Hage Marathon to complete testing as scheduled on August 29, 2012, and submit the test results to the following enforcement representative:

Mike Samec
Cleveland Division of Air Quality
75 Erieview Plaza 2nd Floor
Cleveland, Ohio 44114-1839

Your written response to this letter must be received by CDAQ within thirty (30) days of your receipt of this letter. If there is insufficient time to correct the alleged violations within this timeframe, your response must include a timeline for correcting the alleged violations.