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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Jim Lucas
Lucas Enterprises, Inc.
14005 Madison Avenue
Lakewood, Ohio 44107

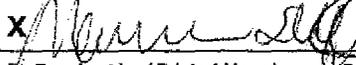
2. Article Number
(Transfer from *SE*)

7009 3410 0002 1934 0144

13-18-28-6223

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A. Signature

X 

Agent

Addressee

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8-11-11

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Yes



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 : 7009 3410 0002 1934 0144
RETURN RECEIPT REQUESTED

August 9, 2011

Jim Lucas
Lucas Enterprises, Inc.
14005 Madison Avenue
Lakewood, Ohio 44107

FACILITY ID: 13-18-28-6223
RECEIPT OF CORRECTIVE ACTION PLAN: FAILURE TO PERFORM 2010 STAGE II TESTING

Dear Mr. Lucas:

On July 11, 2011, the Cleveland Division of Air Quality (CDAQ) issued a Notice of Violation requesting that Lucas Enterprises, Inc. perform an Air-to-Liquid (A/L) Ratio, and Static Leak Test. Lucas Enterprises, Inc. performed an A/L Ratio, and Static Leak test on July 20, 2011, however failed the A/L test on the mid-grade gas for pump #5. The failure to successfully pass the testing requirements is in violation of 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, Ohio Revised Code (ORC) Section 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 Lucas Enterprises, Inc. make the necessary repairs, then re-test and submit the July 20, 2011, test results, and the re-test results within thirty (30) days from their respective test dates as stipulated in OAC Rule 3745-21-09 (DDD)(2)(c) to the following enforcement representative:

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

If there is insufficient time to correct the alleged violations within this timeframe, a written response must be received within thirty (30) days that includes a timeline for correcting the alleged violations.

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 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 Bryan Sokolowski at (216) 420-7663. All correspondence with CDAQ must include the Ohio EPA facility identification number for Lucas Enterprises, Inc: 13-18-28-6223.

Sincerely,

A handwritten signature in cursive script that reads "Linda Kimmy".

Linda Kimmy
Field Enforcement Manager, CDAQ

LK/BS

cc: John Paulian, Ohio EPA Central Office
William MacDowell, U.S. EPA Region V
Facility File and L:\Data\Facilities\1318286223\2011-6-28 RCAP.docx



14005 Madison Ave, Lakewood, Ohio

CLEVELAND DIVISION OF AIR QUALITY GDF INSPECTION REPORT

REVISED: 05/02/2007 MS/VW



DAPC - APPENDIX N (GDF)

US. Tank Alliance

Wayne STATIC LEAK TEST RESULTS

Stage II System: Vapor Balance [] Vacuum Assist [x]

Stage I System: Two point [x] Coaxial [] Manifolder? Aboveground [] Underground [x]

Tank #	1	2	3	
Product Grade	Regular	Regular	Premium	
Actual Tank Capacity, gallons	7950	7950	7950	
Gasoline Volume	4024	4616	2034	
Ullage, gallons (#2-#3)	3926	3334	5916	13176
Initial Pressure, inches H ₂ O				2.0
Number of Nozzles Served by Tank				8
Test Location: <u>Stage I VC</u> or Stage II Riser				Stage I VC
Pressure After 1 Minute, inches H ₂ O				2.0
Pressure After 2 Minutes, inches H ₂ O				2.0
Pressure After 3 Minutes, inches H ₂ O				2.0
Pressure After 4 Minutes, inches H ₂ O				2.0
Final Pressure After 5 Minutes, inches H ₂ O				2.0
Allowable Final Pressure				1.90

Static Leak Test Results: Pass [x] Fail [] which tanks failed? _____

Notes: _____

DYNAMIC PRESSURE TEST RESULTS

Quantity of gasoline introduced into Stage II, (gallons): _____ Riser [] Bellows []

Nozzle #	40 CFH	60 CFH	80 CFH	Pass / Fail	Nozzle #	40 CFH	60 CFH	80 CFH	Pass / Fail
	0.16" Max	0.35" Max	0.62" Max			0.16" Max	0.35" Max	0.62" Max	

Not Tested

Did the gauge needle pulsate or peg at any flow rate during the test? Yes [] No []

Dynamic Pressure Results: Pass [] Fail []

Notes: _____

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Lucas Enterprises, Inc
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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

2. Article Number 7009 3410 0002 1934 1691 13-18-28-6223
(Transfer from s)