



State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korieski, Director

September 9, 2009

RE: NOTICE OF VIOLATION
FAILED ANNUAL STAGE II COMPLIANCE TEST
PURE GAS, INC.
DAPC FACILITY ID #0247080717

CERTIFIED MAIL

Imran Nazir
Pure Gas, Inc.
228 E. Erie St
Lorain, OH 44052

Dear Mr. Nazir:

The annual Stage II compliance test conducted at Pure Gas, Inc. located at 228 E. Erie St. in Lorain, Ohio on March 12, 2009 and April 7, 2009, failed to demonstrate compliance with Ohio Administrative Code (OAC) Rule 3745-21-09(DDD). A subsequent retest on June 8, 2009, passed.

2009 Testing

On March 12, 2009, testing was attempted, but could not be performed because the system had too many leaks. Several nozzles needed to be replaced due to poor condition and because they were the wrong type of nozzles for the Tokheim system being used.

On April 7, 2009, a retest was attempted. The static leak test passed, however, the A/L test failed for pump #4. It was noted by the inspector during this test that daily inspections required by OAC Rule 3745-21-09(DDD) were not being performed.

On June 8, 2009, a retest was attempted. After significant adjustment, the A/L passed for pump #4.

2008 Testing

On January 2, 2008, testing was attempted, but could not be completed due to many leaks in the Stage II system. Too many parts needed replacing to be able to repair that day.

On January 16, 2008, testing was attempted and the static leak test passed, but the A/L test failed for pumps #'s 3 & 4 as the vacuum pump was not working.

On June 2, 2008, a retest occurred and the A/L test passed for pumps #'s 3 & 4.

Pure Gas, Inc.
Mr. Nazir
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Summary

Failed test results constitute a violation of OAC Rule 3745-21-09(DDD). More than 30 days to pass a retest after a failing test is considered excessive.

The above results indicate that the Stage II system is often not maintained in good working condition. Please be sure to perform the daily inspections (and associated record keeping) and perform preventative maintenance as needed to ensure compliance.

Based on the above testing failures, an enforcement action request is being sent to the Central Office of Ohio EPA.

The most recent compliance demonstration does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

If you have any questions regarding this letter, please do not hesitate to contact me at (330) 963-1270.

Sincerely,



Tim Fischer
Environmental Supervisor
Division of Air Pollution Control

TF:bo

pc: Tom Kalman, DAPC, CO
Lisa Holscher, USEPA, Region V