



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

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

July 7, 2009

RE: NOTICE OF VIOLATION  
GAS USA  
ANNUAL STAGE II COMPLIANCE TEST  
DAPC FACILITY ID 0247040523

CERTIFIED MAIL

John Harb  
Gas USA  
3451 Colorado Ave.  
Lorain, Ohio 44052

Dear Mr. Harb:

The annual Stage II compliance demonstration conducted at Gas USA located at 824 Middle Ave., in Elyria, Ohio on May 1, 2008 failed to demonstrated compliance with the requirements of Ohio Administrative Code Rule 3745-21-09 (DDD). Subsequent retests on July 22, 2008, August 20, 2008, and December 5, 2008 also failed.

No additional retests have been scheduled. These violations add to several years of failures and lack of timely tests by this station.

Our inspector noted that the required record keeping and Stage II training certificate were not available. I have enclosed a copy of the rule cited above that has all of the requirements that apply to this facility.

I have enclosed a Permit by Rule Notification form. Please complete the form and return it as per the instructions. This will replace any needed permit-to-install and operate (PTIO) and will mean you no longer have to pay the biannual emission fees. Failure to complete and submit the form may result in a request for a PTIO application to be submitted.

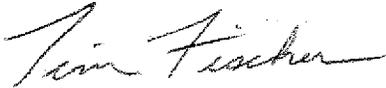
Failed test results constitute a violation of OAC Rule 3745-21-09 (DDD). Please schedule repairs and conduct a retest **within 30 days of your receipt of this letter.**

Violations of state air pollution control regulations are punishable by a civil penalty of up to \$25,000 per violation. Issuance of this notice does not excuse any violation of state law regarding air pollution. As per Ohio EPA policy, we will be submitting a request to our Central Office in Columbus to begin formal enforcement action.

JOHN HARB  
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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

enclosures: Permit by Rule Notification form  
OAC Rule 3745-21-09 (DDD)

pc: Tom Kalman, Ohio EPA, DAPC, CO  
Lisa Holscher, US EPA, Region V  
Station Manager