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**Ohio EPA Settles Air Pollution Control Rule and Law Violations with
Four Northeastern Ohio Gas Stations**

ConSun Must Pay \$17,250 Penalty; Lehigh Must Pay \$12,000

Two gas companies have agreed to properly install and/or maintain pollution control equipment at four Lorain County gas stations and pay penalties for violating the regulations.

Gasoline dispensing facilities in Northeast and Southwest Ohio are required to use Stage II vapor control systems on their pumps. Vapors emitted from gasoline during fueling of vehicles are a human health hazard and a precursor to ozone. Proper controls minimize the emissions of those vapors.

ConSun Food Industries

ConSun failed to install and operate a Stage II vapor control system at its Lorain location, 5375 W. Erie St. ConSun must install a Stage II vapor control system and obtain a permit to operate from Ohio EPA before continuing to dispense gasoline at its Lorain facility. Gasoline has not been dispensed at the Lorain location since August 18, 2009.

In addition, the company failed to pass all tests on the Stage II vapor control system at its Elyria location, 8703 W. Ridge Road, while it continued to operate the dispensers. The company has since fixed the problems at this location and returned to compliance.

During the next two ozone seasons (April-October), the company must conduct weekly inspections of its Stage II vapor control system at the Elyria location to check for leaks, malfunctions or damage to the system. Also, more frequent testing of the Stage II vapor control system must be done during the same time period.

Inspections must be recorded in an inspection log or checklist and copies of these must be submitted to Ohio EPA during the middle and at the end of each ozone season. Also, testing results must be submitted to Ohio EPA after each test.

ConSun has agreed to a \$17,250 civil penalty, \$3,450 will be paid to Ohio EPA's Clean Diesel School Bus Program Fund with the remaining \$13,800 split equally to administer air pollution control programs and to fund the Ohio Environmental Education Fund.

Lehigh Gas Corporation

Ohio EPA and Lehigh have agreed to settle air pollution control rule and law violations at two gas stations along the Ohio Turnpike, the Vermillion Valley Service Plaza, milepost 139 East, Amherst, and the Middle Ridge Service Plaza, milepost 139 West, Amherst.

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Lehigh failed to pass all tests on the Stage II vapor control system at its Vermillion Valley Service Plaza location, milepost 139 East on the Ohio Turnpike, while it continued to operate the dispensers. The company has since fixed the problems at this location and returned to compliance.

In addition, the company failed to pass all tests on the Stage II vapor control system at its Middle Ridge Service Plaza location, milepost 139 West on the Ohio Turnpike, while it continued to operate the dispensers. The company has since fixed the problems at this location and returned to compliance.

Beginning two weeks before the next two ozone seasons, from March 15, 2010, through October 31, 2010, and March 15, 2011, through October 31, 2011, both companies must test and pass those tests for their Stage II vapor control systems at the beginning and middle of each ozone season.

Lehigh has agreed to a \$12,000 civil penalty, of which \$2,400 will be paid to Ohio EPA's Clean Diesel School Bus Program Fund and the remaining \$9,600 will be split equally to administer air pollution control programs and to fund the Ohio Environmental Education Fund.

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www.epa.ohio.gov

ConSun Food Industries Settlement:

http://www.epa.ohio.gov/portals/27/enforcement/year_2010/ConSunFoodIndustries_011410.pdf

Lehigh Gas Corporation's Settlement

http://www.epa.ohio.gov/portals/27/enforcement/year_2010/LehighGas_012010.pdf

Clean Diesel School Bus Program:

<http://www.epa.ohio.gov/oeef/schoolbus.aspx>

Ohio Environmental Education Fund

<http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/oeef>