



11-4645-TR-CVF

September 30, 2011

Public Utilities Commission of Ohio  
Scott Farkas  
Attorney Examiner  
180 East Broad St.  
Columbus, OH 43215-3793

RECEIVED-DOCKETING DIV  
2011 OCT -4 PM 3:42  
PUCO

RE: Case # OH0908007580C

On March 22, 2011 the Lyden Oil Company received a notice of an 'Apparent Violation and Intent to Assess Forfeiture' in case OH 0908007580C in the amount of \$140.00(attached). At this time Lyden Oil Company completed a written request for a telephone conversation to discuss this matter.

On May 7, 2011 at 9:30 a.m. Lyden Oil Company had a telephone settlement conference with Cheryl Streets of the Compliance Division. At this time Paul Lyden and Ed Bukovinsky presented their case. Without further discussion Lyden Oil was told the next step would be an administrative phone hearing. A letter was sent requesting an administrative phone hearing.

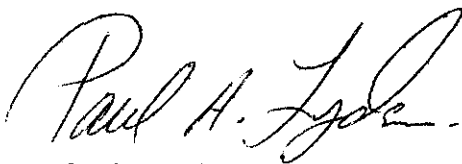
On Sept. 7, 2011 Lyden Oil had a prehearing telephone conference with 3 or 4 staff representatives from the Ohio PUCO and the Ohio Attorney General's office. Lyden Oil Company at that time was not permitted to present its case and was instructed to automatically schedule a hearing date. This was scheduled for Nov. 17, 2011 and was referred to Case # 11-4645-TR-CVF. This gave Lyden Oil representatives the feeling we were already found guilty without being able to present our case. Due process?

During the Sept 7, 2011 meeting Paul Lyden and Ed Bukovinsky, representing Lyden Oil Company, attempted to present the case. Pictures were then emailed along with maintenance records, etc. to the Ohio PUCO and the Ohio Attorney General's office. Since receiving these

records, no discussion was ever held with Lyden Oil from the Ohio PUCO or the Ohio Attorney Generals office. Lyden Oil then received via mail two (2) notices that the parties were unable to settle this matter and a hearing was already set for Nov. 17, 2011. No settlement was ever offered or discussed to Lyden Oil Company from the representatives of the Ohio PUCO. Where is due process?

Lyden Oil would like discussions reopened in this case so we are permitted to review our case and have an opinion on what action transpires.

Regards,

A handwritten signature in black ink, appearing to read "Paul A. Lyden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul A. Lyden  
Vice President

Attachment(s)

Cc: Mike DeWine, Ohio Attorney General, Columbus, Ohio  
Mark Patton, Chief Development Office, Ohio Dept. of Development, Columbus, OH



**Public Utilities  
Commission**

John Kasich, Governor  
Todd A. Snitchler, Chairman

**Commissioners**

Valerie A. Lemmie  
Paul A. Centolella  
Cheryl Roberto  
Steven D. Lesser

March 22, 2011

OH0908007580C  
LYDEN OIL COMPANY  
3711 LEHARPS RD  
YOUNGSTOWN, OH 44515

Re: NOTICE OF APPARENT VIOLATION  
AND INTENT TO ASSESS FORFEITURE  
Case No. OH0908007580C

Dear Carrier:

On March 11, 2011 vehicle numbers 265 (UNIT #1), operated by LYDEN OIL COMPANY and driven by BRUCE E BRADLEY were inspected within the state of Ohio by staff of the Ohio Highway Patrol, Commercial Motor Carrier Enforcement Section. As the result of discovery of the following apparent violation(s), of rule 4901:2-5-02, O.A.C., the Commission intends to make a civil monetary assessment against LYDEN OIL COMPANY in the following amount:

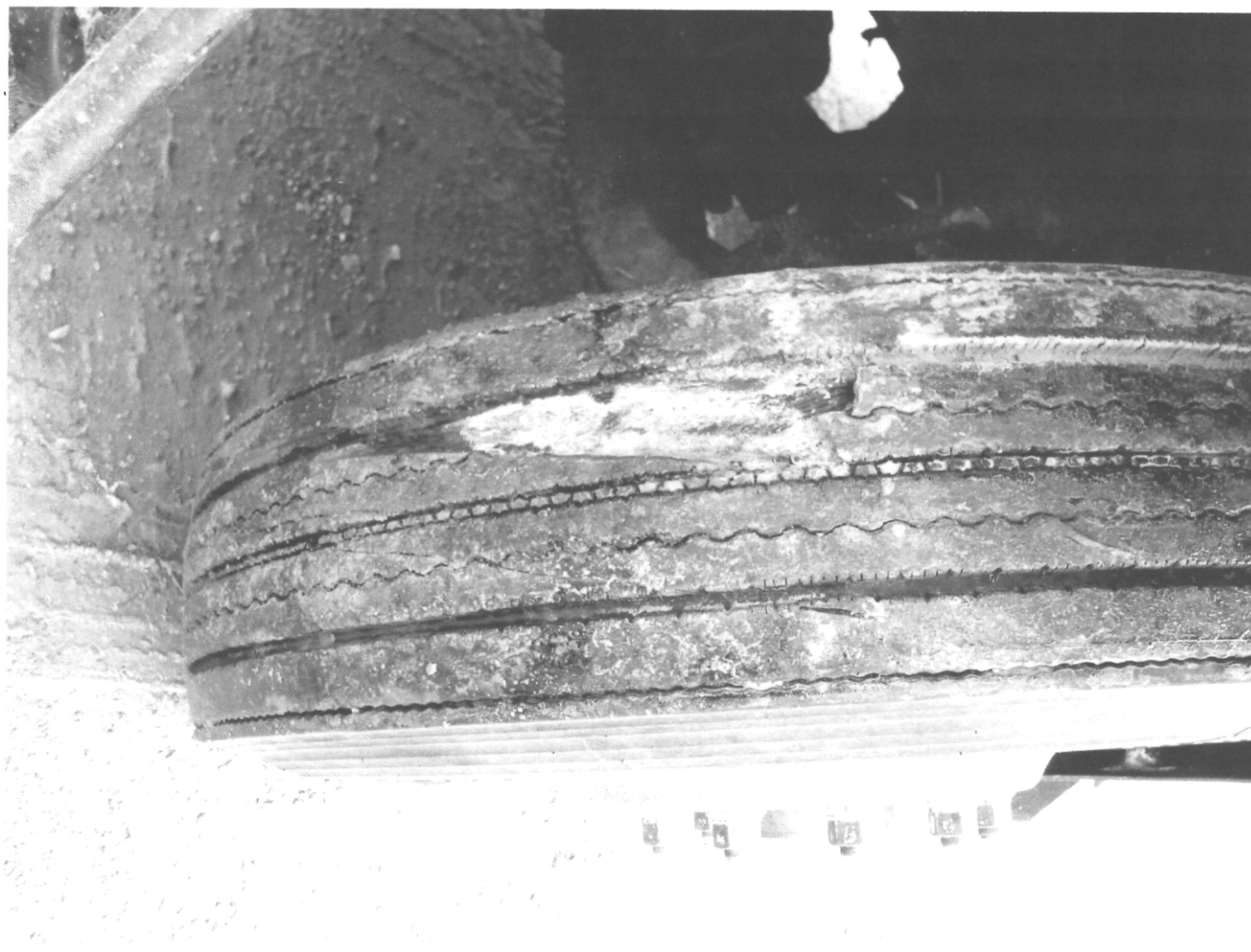
CODE	UNIT	VIOLATION	VIOL. GROUP
396.3A1BOS	1	BRAKES OUT OF SERVICE: The number of defect	1
393.75A1	1	Tire-ply or belt material exposed on left f	3

TOTAL AMOUNT DUE: \$140.00

Within 30 days, you must pay the forfeiture or send a written request for conference. Failure to pay the forfeiture or send a written request for a conference within 30 days will result in this forfeiture amount being referred to the Attorney General's office for collection and may adversely affect your authority to operate in the State of Ohio.

Please consult the enclosed additional information on the instruction sheet in regard to your rights and responsibilities concerning this Notice of Apparent Violation and Notice of Intent to Assess Forfeiture.

Sincerely  
Cheryl Streets  
Compliance Division  
(614) 466-0351





# TRACTOR PREVENTIVE MAINTENANCE INSPECTION

PM

COMPANY: \_\_\_\_\_

DATE 3/11  
HOUR READING \_\_\_\_\_

TERMINAL \_\_\_\_\_

TRACTOR NO. 265

MILEAGE 502862

INSPECTION CODE: ✓ = OK      0 = FOLLOW-UP NEEDED      X = ADJUSTMENT MADE      N/A = NOT APPLICABLE

Clean Engine and Chassis as Required	✓	Fenders – Running Boards – Bumper – Tank Steps – Inspect and Tighten as required	✓
Take Hot Oil Sample for Oil Analysis	✓	Radiator, Cap, Gasket, Water Pump, Heater Core, Hoses, Clamps, Mounting, Leaks, Clean Frontal Area of Core	✓
Check Safety Equipment – Fire Ext., Triangle Kits, Seat Belts, Accident Packets, Placards, Lights on for Safety Sign	✓	Pressure Test Radiator at Manufacturer's Specs	✓
Lights – Inspect All for Operation	✓	Antifreeze – (winter months) Check – Record initial Test <u>-45</u> Add if Needed	✓
Horns – Windshield Wipers – Turn Signals – Windshield Washers – Check for operation	✓	Check Air Dryer Operation – Drain Air Tanks	✓
Floor Mat, Floor Boards – Lever Boots, Inspect	✓	Belts, Fan Blades – Inspect, Adjust or Replace Belts as Needed	✓
Instruments – Start Engine Inspect All for Operation	✓	Radiator Shutter & Controls – Inspect for Operation	N/A
Check Low Air Pressure Warning Device	✓	Vibration Damper – Inspect	✓
Check Operation of Fan Motor, Defroster/ Check Air Conditioning Operation	✓	Fan Hub & Fan Drive – Inspect/Lubricate Fan Hub with Hand Gun	✓
Tachometer – Tachograph – Check for Operation, Check Stylus and Knife	✓	Idler Pulley – Inspect/Lubricate Idler Pulley with Hand Gun	✓
Check RPM High Idle – Max. RPM Reading _____		Check Fuel Pump Seals	✓
Oil Pressure – Record at Idle _____ Max. _____ (ENGINE MUST BE AT OPERATING TEMPERATURE)		Air Intake System – Inspect All Hoses and Brackets – Check for Air Leaks	✓
Spring Brake – With Engine Running, Engage Transmission in Low Gear, Check Holding Ability, Repair if Necessary	✓	Manifolds – Inspect	✓
Gear Shift Mechanism – With Engine Running, Check Range Selector Switch	✓	Air Cleaner – Check with Slack Tube Water Manometer Record Reading _____	✓
Check Road Speed Governor – Record RPM _____		Alt. Tighten Mounting Bolts – Inspect Pulley, Terminals, Wiring	✓
Clutch – With Engine Running, Check Pedal Free Travel, Slipping, Grabbing, Adjust	✓	Starters – Inspect – Mounts, Wiring, Air Lines, Lubricators and Mufflers	✓
Foot Brake Pedal – Check Pedal Travel (Check wheel brake adjustment before adjusting pedal)	✓	Battery – Inspect Water Level, Check for Load Test, Battery Cable, Battery Box and Holdowns, Clean, Tighten, Apply Vaseline	✓
Accelerator Return Spring – Two Required	✓	Inspect Muffler, Exhaust Piping and Rain Caps	✓
Check for Oil Loss and Blow-By with Engine Running (Engine and Turbo Charger)	✓	Fifth Wheel – Inspect Mounting, Latch Mechanism, Bolts	N/A
Inspect Block Heaters	✓	Fuel Tanks – Inspect Mounting, Vents, Lines, Caps	✓
Test Automatic Shutdown System	✓	Bleed Water Off Bottom of Fuel Tank	✓
Cab Glass – Windshield, Door, Rear, Rear View Mirror, Inspect. Check Door Key Locks	✓	Engine Supports – Inspect	✓
Cab Doors – Window Regulator Mechanism, Handles, Stops, Dovetails, Hinges, Door Alignment and Lubricate	✓	Power Steering Reservoir – Check Fluid and Clean Vent	✓
Cab Crossmember and Bolts, Front and Rear, Inspect	✓	Steering Mechanism – Inspect Tie-Rod Ends, Drag Link, Steering Arms, Steering Arm Ball, Pitman Arm, Steering Gear Box, Adjust & Tighten as Needed, Check Lube Level.	✓
Hood – Inspect Hinges, Latches, Clamps, Alignment	✓		
Wipers – Inspect Linkage and Transmissions	✓		

INSPECTION CODE: ✓ = OK

O = FOLLOW-UP NEEDED

X = ADJUSTMENT MADE

N/A = NOT APPLICABLE

✓	Springs — Inspect Hangers, Shackles, Pins, Bushings for Broken Leaves, Center Bolts — Inspect for Looseness & Wear, Spring Clips, U-Bolts, Radius Rods & Tighten as Required	✓	Drain and Refill Engine Oil Pan — Change Filters	✓
✓	Rear Axles — Inspect for Oil Leaks — Carrier Case to Housing Cap Screws — Clean Breather	✓	Transmission & Differential — Inspect Level and Check for Leaks	✓
✓	Inspect Propellor Shaft — U-Joints — Pinion Oil Seals, Looseness in Pinion Bearing	✓	Water Filter — Change	✓
✓	Transmission — Inspect for Oil Leaks, Check Bell Housing to Flywheel Housing Cap Screws, Inspect Housing for Cracks	✓	Fuel Filter — Change	✓
			<b>CARGO PUMP &amp; POWER TAKEOFF</b>	
✓	Transmission — Air Cylinder, Solenoid Valve Air Regulator, All Lines, Inspect	✓	Check Pump for Mounting Tightness	✓
✓	Oil Seals — Check Level, All Wheels	✓	Check Pump for Free Rotation	✓
✓	Brake Drums — Inspect	✓	Check Pump Packing	✓
✓	Shock Absorbers — Inspect	✓	Check Power Takeoff for Leaks	✓
✓	Brake Cams, Slack Adjusters, Air Chambers, Air Valves, Switches & Controls — Inspect	✓	Lubricate Pump Shaft Universals & Pump Outboard Bearing	✓
✓	Brake System — Inspect All Lines, Connections for Leaks — Glad Hand Seals	✓	<b>QUINCY COMPRESSOR</b>	
✓	Record Remaining Brakes — Thickness of Lining <u>5/8"</u>	✓	Check for Mounting Tightness	
✓	Brakes — Adjust	✓	Check for Rotation	
✓	Check tightness — Wheel Rim Studs, Nuts & Lugs, Wheel Spacers	✓	Check Compressor Drivetrain	
✓	Tires — Inspect for Cuts, Irregular Wear, Bruises, Breaks and Proper Matching	✓	Check Oil Level	
✓	Tires — Inspect for Bad Valves, Metal Valves Mates and Metal Dome Caps, Valve Stem Alignment	✓	Clean Air Cleaner	
✓	The Tire Prints Below Are to be Used to Record Existing Tread Depths and Air Pressures Before Correcting Pressure	✓	<b>TURBO CONVEYOR SERVICE AND INSPECTION</b>	
			Clean and Inspect Air Filter	
			Check Oil Inlet Line and Oil Drain Line for Leaks, Damage and Sludge	
			Check Complete Exhaust System for Leaks, All Nuts, Bolts and Brackets	
			Check Surge Point and Record _____	
			<b>REPORT COMPONENTS NEEDING ATTENTION TO SHOP FOREMAN. ENTER ALL PARTS AND LABOR ON WORK ORDER.</b>	
			<b>REMARKS:</b>	
✓	All Tires Adjusted to Proper Pressure	✓		
✓	Raise Front End. Check for Looseness with Bar	✓		
✓	Inspect Spindles, King Pins, Bushings	✓		
✓	Lubricate Chassis	✓		

MECHANIC SIGNATURE

DATE

3-7-11



Lyden  
Oil  
Company

# REPAIR ORDER

[illegible]

265	3-7-11		502862	
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[illegible]

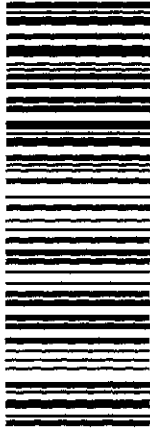
AMOUNT (GALS., LBS. CASE)	PRODUCT	PRICE
	GAS	
	OIL	
	GREASE	
	ANTIFREEZE	
	WINDSHIELD WASHER	
	OTHER (DESCRIBE)	

REPAIR PERFORMED BY:



3711 LeHaps Road  
Youngstown, Ohio 44515

ON THE RETURN ADDRESS, FOLD AT DOTTED LINE  
**CERTIFIED MAIL™**



7003 3110 0004 7443 4632

**Public Utilities Commission of Ohio**

Scott Farkas  
Attorney Examiner  
180 East Broad St.  
Columbus, OH 43215-3793

432153793 503A 