



## REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-1280

937-225-4435 — Fax: 937-225-3486

www.rapca.org

June 30, 2008

### Certified Mail

Scott Heenan

Giant Oil

3904 Corporex Park Drive, #150

Tampa, FL 33619

**RE: Ohio EPA Facility ID 0855130446  
BP #467 – 1016 W. Main Street, Tipp City, OH 45371  
Failure to Pass Air to Liquid Ratio Test**

Dear Mr. Heenan:

### WARNING LETTER

On April 24, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) located at BP #467, 1016 W. Main Street, Tipp City, Ohio. The purpose of this inspection and performance test was to determine the GDF's compliance status with applicable state and local air pollution control regulations. This inspection/test at BP #467 revealed violations of state and local air pollution control regulations.

BP #467 did show compliance through the completion of a successful static leak test and dynamic pressure performance test on April 24, 2008, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-153-AD on pumps #1 and #12. Failing to demonstrate compliance with the A/L performance test requirements is a violation of Ohio Administrative Code (OAC) rule and Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR) section 3745-21-09 (DDD), OAC rule and MCBHLAPCR section 3745-15-04, and Ohio Revised Code (ORC) section 3704.05. On April 24, 2008, an Official Order was issued to BP #467 to make any needed repairs and reschedule testing within a thirty (30) day time period. To this date, no A/L retest has been scheduled with RAPCA.

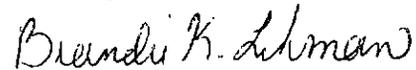
Since the above noted GDF is currently operating in violation of OAC rules and MCBHLAPCR sections 3745-21-09 (DDD) and 3745-15-04, and CARB Executive Order G-70-153-AD, it is imperative that BP #467 ensure that repairs are made to this site to correct the deficiencies, and reschedule A/L testing to demonstrate compliance.

BP #467  
June 30, 2008  
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**BP #467 shall respond within fourteen (14) days after receipt of this letter.** The response shall include the intended retest date for this GDF. Your tester should contact Lynn Thompson at (937) 225-4437, to ensure a RAPCA representative is present at your scheduled testing.

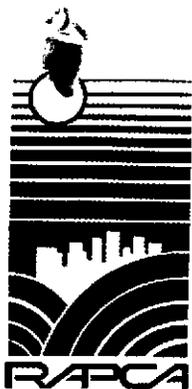
Failure to perform the required testing will subject this facility to further enforcement actions, which may include penalties. If you have any questions or comments concerning this matter, please feel free to contact me at (937) 225-5923.

Sincerely,



Brandie K. Lehman  
Air Pollution Control Specialist

cc:	Jeff Canan	RAPCA
	Tom Kalman	OEPA
	Lisa Holscher	USEPA



**REGION**  
Serving C

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GIAN904\* 336193281 1308 26 07/05/08  
 NOTIFY SENDER OF NEW ADDRESS  
 :GIANT OIL INC  
 1806 N FRANKLIN ST  
 TAMPA FL 33602-2234

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature <b>X</b> <i>N. Grotay</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Address
B. Received by (Printed Name) <i>N. Grotay</i>	C. Date of Delivery <i>7/8/08</i>
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

**Certified Mail**

Scott Heenan  
 Giant Oil  
 3904 Corporex Park Drive,  
 Tampa, FL 33619



2. Article Number  
 (Transfer from service label)

7007 1490 0004 7509 7992

4. Restricted Delivery? (Extra Fee)

Yes

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M

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