



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

January 6, 2010

Certified Mail

Amarjit Singh
Lewisburg Petroleum, LLC
4365 Lisa Drive
Tipp City, OH 45371

**RE: Ohio EPA Facility ID 0855100385 - Piqua Marathon, 1130 Park Street, Piqua, OH
Failure to perform annual stage II vapor recovery compliance testing**

WARNING LETTER

Dear Mr. Singh:

Pursuant to Ohio Administrative Code (OAC) rule and City of Piqua, Ohio Board of Health Air Pollution Control Regulations (CPOBHAPCR) section 3745-21-09 (DDD)(2), the stage II vapor control system at the Piqua Marathon gasoline dispensing facility (GDF) located at 1130 Park Street in Piqua, Ohio, must perform and successfully pass the testing requirements contained in OAC rule 3745-21-10. In accordance with the yearly static pressure decay testing requirements specified in CARB Executive Order G-70-150-AE and the Static Leak test contained in OAC rule 3745-21-10, Appendix A, Static Leak testing and Air to Liquid Ratio (A/L) testing shall be successfully conducted at least once in each twelve consecutive month period after the date of successful completion of the startup or most recent Static Leak test. Dynamic Pressure testing is also required to be successfully completed at least every five (5) years after the date of successful completion of the startup or most recent Dynamic Pressure test.

OAC rule and CPOBHAPCR section 3745-21-09(DDD)(1) state: "no owner or operator of a gasoline dispensing facility may cause, allow or permit the transfer of gasoline from a stationary storage tank at a GDF into a motor vehicle . . . unless the following requirements are met: . . .

(c) The vapor control system has successfully passed the testing requirements contained in paragraph (DDD)(2) of this rule." This GDF is required to demonstrate compliance on an annual basis. The last annual stage II vapor recovery compliance test conducted at Piqua Marathon was on July 28, 2006. On September 3, 2009, a full stage II vapor recovery compliance test was scheduled to take place at Piqua Marathon under the previous ownership, but was canceled because there was not enough fuel to complete testing. An Official Order was issued to Piqua Marathon on that date, requesting that testing be rescheduled within thirty (30) days of the

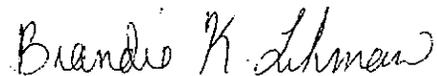
Piqua Marathon
January 6, 2010
Page 2

issuance of the Order. On November 19, 2009, a second Official Order was issued to you by the Regional Air Pollution Control Agency (RAPCA) to schedule testing within thirty (30) days of the issuance of the Order. To date, no additional testing has been scheduled with RAPCA at this site. Piqua Marathon is currently operating in violation of OAC rule and CPOBHAPCR section 3745-21-09 (DDD)(2) and the prohibitions in Ohio Revised Code (ORC) section 3704.05.

This letter serves as official notification from RAPCA to cease operation in violation of OAC rule and CPOBHAPCR section 3745-21-09 (DDD)(2) and ORC section 3704.05. It is imperative that Piqua Marathon schedule and show compliance with stage II testing requirements. **Please respond, in writing, to this notice within fourteen (14) days after receipt of this letter. The response will specify the intended test date.** 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

<p>COMPLETE THIS SECTION</p> <p>Items 1, 2, and 3. Also complete Restricted Delivery if desired. Your name and address on the reverse that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>Amarjit Singh Lewisburg Petroleum, LLC 4365 Lisa Dr. Tipp City, OH 45371</p>		<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee </p> <p>B. Received by (Printed Name) D Singh</p> <p>C. Date of Delivery 05-25-2009</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>2. Article Number (Transfer from service label) 7008 1830 0003 0181 1962</p>		<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

CONTROL AGENCY
 Piqua & Preble Counties
 45422-1280
 937-25-3486

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540
 Tipp City, OH 45371

**RE: Ohio EPA Facility ID 0855100385 - Piqua Marathon, 1130 Park Street, Piqua, OH
 Failure to perform annual stage II vapor recovery compliance testing**

WARNING LETTER

Dear Mr. Singh:

Pursuant to Ohio Administrative Code (OAC) rule and City of Piqua, Ohio Board of Health Air Pollution Control Regulations (CPOBHAPCR) section 3745-21-09 (DDD)(2), the stage II vapor control system at the Piqua Marathon gasoline dispensing facility (GDF) located at 1130 Park Street in Piqua, Ohio, must perform and successfully pass the testing requirements contained in OAC rule 3745-21-10. In accordance with the yearly static pressure decay testing requirements specified in CARB Executive Order G-70-150-AE and the Static Leak test contained in OAC rule 3745-21-10, Appendix A, Static Leak testing and Air to Liquid Ratio (A/L) testing shall be successfully conducted at least once in each twelve consecutive month period after the date of successful completion of the startup or most recent Static Leak test. Dynamic Pressure testing is also required to be successfully completed at least every five (5) years after the date of successful completion of the startup or most recent Dynamic Pressure test.

OAC rule and CPOBHAPCR section 3745-21-09(DDD)(1) state: "no owner or operator of a gasoline dispensing facility may cause, allow or permit the transfer of gasoline from a stationary storage tank at a GDF into a motor vehicle . . . unless the following requirements are met: . . . (c) The vapor control system has successfully passed the testing requirements contained in paragraph (DDD)(2) of this rule." This GDF is required to demonstrate compliance on an annual basis. The last annual stage II vapor recovery compliance test conducted at Piqua Marathon was on July 28, 2006. On September 3, 2009, a full stage II vapor recovery compliance test was scheduled to take place at Piqua Marathon under the previous ownership, but was canceled because there was not enough fuel to complete testing. An Official Order was issued to Piqua Marathon on that date, requesting that testing be rescheduled within thirty (30) days of the

1/22

