



REGIONAL AIR POLLUTION CONTROL AGENCY

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

117 South Main Street, Dayton, Ohio 45422-1280

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www.rapca.org

June 9, 2010

Certified Mail

Mr. Roman Singh

Mr. Manjit Raur

Premium Petroleum, Inc.

5580 N. County Road 25-A

Piqua, OH 45356

NOTICE OF VIOLATION (NON-HPV)

Summary

The Starfire gasoline dispensing facility (GDF), Ohio EPA Facility ID 0855810402, located at 5580 North County Road 25-A in Piqua, Miami County, Ohio, is required to successfully perform a Static Pressure Decay test, Vapor Return Line Vacuum Integrity test and an Air-to-Liquid Ratio (A/L) test at least once in each twelve month period on the Healy Vacuum Assist stage II vapor control system. The last successful Static Pressure Decay and Vapor Return Line Vacuum Integrity tests performed on the Healy Vacuum Assist stage II vapor control system at Starfire were completed on December 18, 2008. A/L testing was last successfully completed on pumps #1, #2, and #5 on February 20, 2009, on pumps #4 and #6 on April 3, 2009 and on pump #3 on June 29, 2009. Pursuant to state and local air pollution control regulations, enforcement orders may be issued in the future to resolve these violations.

Dear Sirs:

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)(1), no owner or operator of a gasoline dispensing facility (GDF) may cause, allow or permit the transfer of gasoline from a stationary storage tank at a GDF into a motor vehicle unless the vapor control system has successfully passed the testing requirements contained in paragraph (DDD)(2) of this rule. OAC rule and CPOBHAPCR section 3745-21-09(DDD)(2) states that the owner or operator of a gasoline dispensing facility shall perform leak testing in accordance with the testing procedures contained in OAC rule 3745-21-10, as well as, any vapor control system tests specified in the applicable CARB certification. The tests shall be performed at the frequency specified in such certification. CARB Executive Order G-70-165 for Healy Vacuum Assist stage II vapor control

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systems, states that the owner or operator of a GDF shall conduct, and pass, a Static Pressure Decay test, Vapor Return Line Vacuum Integrity test, and an Air-to-Liquid Ratio (A/L) test at least once in each twelve month period.

The last successful Static Pressure Decay test and Vapor Return Line Vacuum Integrity test performed on the Healy Vacuum Assist stage II vapor control system at the Starfire GDF, Ohio EPA Facility ID 0855810402, 5580 North County Road 25-A, Piqua, Miami County, Ohio, was on December 18, 2008. The last successful A/L test performed on pumps #1, #2, and #5 at Starfire GDF was on February 20, 2009, on pumps #4 and #6 was on April 3, 2009 and on pump #3 was on June 29, 2009.

On December 18, 2009, the Regional Air Pollution Control Agency (RAPCA) issued a Health District Order to Starfire GDF, by certified mail, ordering that annual stage II vapor control system compliance testing be scheduled within thirty (30) days of the issuance of that Order. No testing was scheduled with RAPCA at Starfire after the issuance of that Order.

On February 19, 2010, RAPCA issued a warning letter to Starfire GDF, by certified mail, requiring that annual stage II vapor control system compliance testing be scheduled at Starfire GDF within fourteen (14) days after receipt of that letter. To date, no Static Pressure Decay test, Vapor Return Line Vacuum Integrity test, or A/L test has been scheduled with RAPCA at this GDF.

On June 4, 2010, RAPCA performed an inspection of Starfire GDF and documented that this GDF is transferring gasoline from stationary storage tanks into motor vehicles without successfully conducting the testing requirements contained in OAC rule and CPOBHAPCR section 3745-21-09(DDD)(2).

Failure to perform a Static Pressure Decay test, Vapor Return Line Vacuum Integrity test, and A/L test at least once within each twelve month period is a violation of OAC rule and CPOBHAPCR section 3745-21-09(DDD)(2), CARB Executive Order G-70-165, and Ohio Revised Code (ORC) 3704.05. Transferring of gasoline from stationary storage tanks at Starfire GDF into motor vehicles without successfully passing the testing requirements contained in OAC rule and CPOBHAPCR section 3745-21-09(DDD)(2) is a violation of OAC rule and CPOBHAPCR section 3745-21-09(DDD)(1) and ORC 3704.05.

In order to resolve the above mentioned violations, RAPCA requires that Starfire GDF submit a compliance plan and schedule to bring this GDF into compliance with all applicable air pollution control regulations. At a minimum, Starfire GDF shall submit a plan that has been or will be implemented to ensure that all required stage II vapor control system testing is performed at this GDF at the required intervals. In addition, RAPCA requires that the response include the

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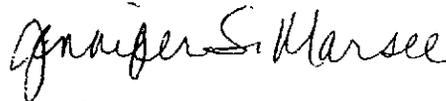
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intended Static Pressure Decay, Vapor Return Line Vacuum Integrity and A/L tests date for this GDF. Your testing company should contact Lynn Thompson at (937) 225-4437, to ensure a RAPCA representative is present at your scheduled testing.

The compliance plan and schedule shall be submitted expeditiously, but in no event later than 30 calendar days after receipt of this letter. Acceptance of the compliance plan and schedule by RAPCA does not constitute a waiver of the Ohio EPA's and RAPCA's authority to pursue civil penalties as provided in ORC sections 3704.06 and 3707.49. The determination whether or not to pursue such penalties will be made by Ohio EPA and RAPCA at a later date.

If you have any questions concerning this matter, please contact Brandie K. Lehman or me at (937) 225-4435.

Sincerely,



Jennifer S. Marsee
Supervisor, Abatement Unit
Regional Air Pollution Control Agency

cc:	John Paul	RAPCA
	Jefferis Canan	RAPCA
	Michael Matis	PHDMC
	Lisa Holscher	U.S. EPA
	Tom Kalman	Ohio EPA

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Street, Apt or PO Box Premium Petroleum, Inc.
 5580 N. County Road 25-A
City, State Piqua, OH 45356

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Mr. Roman Sigh & Mr. Manjit Raur
 Premium Petroleum, Inc.
 5580 N. County Road 25-A
 Piqua, OH 45356

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