



REGIONAL AIR POLLUTION CONTROL AGENCY

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

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www.rapca.org

October 27, 2011

Certified Mail

Kevin Miller
The Hartley Co.
P.O. Box 160
Cambridge, OH 43725

**RE: Ohio EPA Facility ID 0855750397 - Troy Starfire #27, 3311 S Co Rd 25A, Troy, OH 45373
Failure to Pass Air to Liquid Ratio Test**

Dear Mr. Miller:

WARNING LETTER

On July 26, 2011 and September 22, 2011, the Regional Air Pollution Control Agency (RAPCA) conducted inspections and witnessed performance tests of the gasoline dispensing facility (GDF) at Troy Starfire #27, 3311 South County Road 25A in Troy, Ohio. The purpose of these inspections and performance tests was to determine the GDF's compliance status with applicable state and local air pollution control regulations. These inspections/tests at Troy Starfire #27 revealed violations of these regulations.

Troy Starfire #27 did show compliance through the completion of a successful static leak test on the Tokheim MaxVac stage II vapor control system on July 26, 2011, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-154-AA on pumps #2 (premium), #3 (premium), and #11 (premium) on this date. Failing to demonstrate compliance with the A/L testing requirement 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), CARB Executive Order G-70-154-AA, and Ohio Revised Code (ORC) 3704.05. On July 26, 2011, an Official Order was issued to Troy Starfire #27 to make any needed repairs and reschedule A/L testing on pumps #2, #3, and #11 within a thirty (30) day time period. An A/L retest was schedule for September 22, 2011, but Troy Starfire #27, once again, failed to show compliance through the completion of successful A/L testing on pumps #2 (premium), #3 (midgrade), and #11 (premium) on this date. RAPCA issued an Official Order to Troy Starfire #27 on September 22, 2011 to, again, make any needed repairs and reschedule A/L testing on pumps #2, #3, and #11 within a thirty (30) day time period. To date, no additional A/L retest has been scheduled with RAPCA at this GDF.

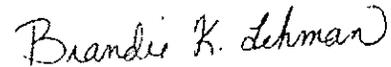
Since the above noted GDF is currently operating in violation of OAC rule and MCBHLAPCR section 3745-21-09(DDD), CARB Executive Order G-70-154-AA and ORC 3704.05, it is imperative that Troy Starfire #27 ensure that repairs are made to this site to correct the deficiencies and reschedule A/L testing on pumps #2, #3, and #11 to demonstrate compliance.

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Troy Starfire #27 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
	William MacDowell	USEPA, Region V