



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

Andy Garst

Beavercreek Sunoco LLC

1326 N. Fairfield Road

Beavercreek, OH 45432

RE: Ohio EPA Facility ID 0829710356

Failure to perform annual stage II vapor recovery compliance testing

WARNING LETTER

Dear Mr. Garst:

Pursuant to Ohio Administrative Code (OAC) rule and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) section 3745-21-09 (DDD)(2), the stage II vapor control system at the Beavercreek Sunoco LLC gasoline dispensing facility (GDF) located at 1326 North Fairfield Road in Beavercreek, 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-70-153-AD 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.

OAC rule and GCBHAPCR 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 Beavercreek Sunoco LLC was on December 22, 2005. On May 28, 2008, an Official Order was issued to Beavercreek Sunoco LLC for failing to perform an annual stage II vapor recovery compliance test. To date, no testing has been scheduled with the Regional Air Pollution Control Agency (RAPCA) at this site. Beavercreek Sunoco LLC is currently operating in violation of OAC rule and GCBHAPCR section 3745-21-09 (DDD)(2) and the prohibitions in Ohio Revised Code (ORC) section 3704.05.

Beavercreek Sunoco LLC

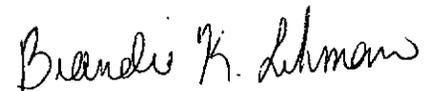
June 30, 2008

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This letter serves as official notification from RAPCA to cease operation in violation of OAC rule and GCBHAPCR section 3745-21-09 (DDD)(2) and ORC section 3704.05. It is imperative that Beavercreek Sunoco LLC 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
Abatement Unit

cc:	Jeff Canan	RAPCA
	Tom Kalman	OEPA
	Lisa Holscher	USEPA

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.

Article Addressed to:

Andy Garst
 Beavercreek Sunoco LLC
 1326 N. Fairfield Road
 Beavercreek, OH 45432

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X


 Agent Addressee

B. Received by (Printed Name)

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7/2/08

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 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

Article Number

7007 1490 0004 7509 9903

(Transfer from service label)

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Beavercreek, OH 45432

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CONTROL AGENCY

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