



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 13, 2011

Certified Mail

Jhirmal Singh
6355 Beckton Ct
Dayton, OH 45424

RE: Ohio EPA Facility ID 0857731763 - Dixie Sunoco, 6004 N. Dixie Hwy, Dayton, OH
Ohio EPA Facility ID 0829060365 - Fairborn Marathon, 10 W. Dayton Dr, Fairborn, OH
Failure to perform annual stage II vapor recovery compliance testing

WARNING LETTER

Dear Mr. Singh:

Dixie Sunoco, 6004 North Dixie Highway, Dayton, Ohio - Ohio EPA Facility ID 0857731763

Pursuant to Ohio Administrative Code (OAC) rule and Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) section 3745-21-09 (DDD)(2), the Gilbarco VaporVac stage II vapor recovery system at the Dixie Sunoco gasoline dispensing facility (GDF) located at 6004 North Dixie Highway in Dayton, Ohio, must perform and successfully pass the testing requirements contained in OAC rule 3745-21-10 and any applicable CARB certification. In accordance with the yearly static pressure decay testing requirements specified in CARB Executive Order G-70-150-AE, for Gilbarco VaporVac stage II vapor recovery systems, 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 MCCGHDAPCR 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 successful annual stage II vapor recovery compliance test conducted at this GDF was on October 13, 2009, under previous ownership. On October 28, 2010, the Regional Air Pollution Control Agency (RAPCA) issued an Official Order by certified mail, to your attention, requiring this GDF to schedule an annual stage II vapor recovery compliance test within thirty