



REGIONAL AIR POLLUTION CONTROL AGENCY

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

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www.rapca.org

July 12, 2011

Certified Mail

Imad Shtayyeh

42 Woodcroft Trail

Beavercreek, OH 45430

RE: Ohio EPA Facility ID 0829020327 - Bellbrook Marathon, 4491 W Franklin St, Bellbrook, OH
Failure to pass annual stage II vapor recovery compliance testing

WARNING LETTER

Dear Mr. Shtayyeh:

On June 8, 2011, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) located at Bellbrook Marathon, 4491 West Franklin Street in Bellbrook, Ohio. The purpose of this inspection and performance test was to determine the GDF's compliance status with applicable state and local air pollution control regulations. This inspection/test at Bellbrook Marathon revealed violations of these regulations.

Pursuant to Ohio Administrative Code (OAC) rule and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) section 3745-21-09 (DDD)(2) and in accordance with the testing requirements specified in CARB Executive Order G-70-150-AE for Gilbarco VaporVac stage II vapor recovery systems, static leak testing and air to liquid ratio (A/L) testing shall be successfully conducted at least once in each consecutive twelve-month period. Bellbrook Marathon failed to show compliance with OAC rule and GCBHAPCR section 3745-21-09 (DDD)(2) and CARB Executive Order G-70-150-AE on June 8, 2011 through the completion of a successful static leak test and A/L test. On this date, static leak and A/L testing could not be conducted due to the fact that there was too much ullage to complete the required testing. An Official Order was issued by RAPCA to Bellbrook Marathon on June 8, 2011 to make any needed repairs and reschedule testing within a thirty (30) day time period. To date, no static leak or A/L retest has been scheduled with RAPCA at Bellbrook Marathon.

Failing to demonstrate compliance with the stage II vapor recovery compliance testing requirements is a violation of OAC rule and GCBHAPCR section 3745-21-09 (DDD)(2), CARB Executive Order G-70-150-AE, and Ohio Revised Code (ORC) 3704.05.

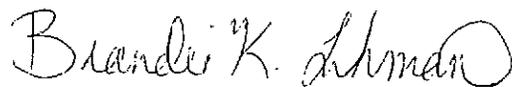
Since the above noted GDF is currently operating in violation of OAC rule and GCBHAPCR section 3745-21-09 (DDD)(2), CARB Executive Order G-70-150-AE and ORC 3704.05, it is imperative that Bellbrook Marathon ensure that repairs are made to this site to correct any deficiencies and reschedule testing to demonstrate compliance.

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Bellbrook Marathon 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

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Sent To: Imad Shtayyeh

Street / or POB: 42 Woodcroft Trail

City, Sta: Beavercreek, OH 45430

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