



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 5, 2009

Certified Mail

Cecy Kinne

Speedway SuperAmerica LLC

P.O. Box 1500

Springfield, OH 45501

**RE: Ohio EPA Facility ID 0812100444, SSA #1156, 2996 Derr Rd, Springfield, OH
Ohio EPA Facility ID 0812760495, SSA #3369, 5050 Urbana Rd, Springfield, OH
Ohio EPA Facility ID 0829060477, SSA #1262, 2570 Colonel Glenn Hwy, Fairborn OH
Ohio EPA Facility ID 0855010466, SSA #6348, 120 N Miami Ave, Bradford, OH
Failure to pass air to liquid ratio testing**

WARNING LETTER

Dear Ms. Kinne:

The Regional Air Pollution Control Agency (RAPCA) conducted inspections and witnessed performance tests of the gasoline dispensing facilities (GDFs) located at Speedway SuperAmerica (SSA) #1156 on November 17, 2008, at SSA #3369 on October 17, 2008, at SSA #1262 on November 21, 2008 and at SSA #6348 on October 15, 2008. The purpose of these inspections and performance tests was to determine the GDFs' compliance status with applicable state and local air pollution control regulations. These inspections/tests revealed violations of state and local air pollution control regulations.

SSA #1156

SSA #1156 did show compliance through the completion of a successful static leak test on November 17, 2008, however, failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-150-AE on pump #9. Failing to demonstrate compliance with the A/L performance test requirements is a violation of Ohio Administrative Code (OAC) rule and Clark County Combined Health District Air Pollution Control Regulations (CCCHDAPCR) section 3745-21-09 (DDD), OAC rule and CCCHDAPCR section 3745-15-04, and Ohio Revised Code (ORC) section 3704.05. On November 17, 2008, an Official Order was issued to SSA #1156 to make any needed repairs and reschedule testing within a thirty (30) day time period. To this date, no A/L retest has been scheduled with RAPCA.

SSA #3369

SSA #3369 was able to show compliance through the completion of a successful static leak test on October 17, 2008, however, failed to show compliance with the A/L testing requirements of CARB Executive Order G-70-150-AE on pump #5. Failing to demonstrate compliance with the A/L performance test requirements is a violation of OAC rule and CCCHDAPCR section 3745-21-09 (DDD), OAC rule and CCCHDAPCR section 3745-15-04, and ORC section 3704.05. On October 17, 2008, an Official Order was issued to SSA #3369 to make any needed repairs and reschedule testing within a thirty (30) day time period. To date, no A/L retest has been scheduled with RAPCA at this site.

SSA #1262

SSA #1262 demonstrated compliance through the completion of a successful static leak test on November 21, 2008, however, failed to show compliance with the A/L testing requirements of CARB Executive Order G-70-150-AE on pumps #1 and #2. Failing to demonstrate compliance with the A/L performance test requirements is a violation of OAC rule and Greene County Board of Health Air Pollution Control Regulations (GCBHAPCR) section 3745-21-09 (DDD), OAC rule and GCBHAPCR section 3745-15-04, and ORC section 3704.05. On November 21, 2008, an Official Order was issued to SSA #1262 to make any needed repairs and reschedule testing within a thirty (30) day time period. To date, no A/L retest has been scheduled at this site.

SSA #6348

SSA #6348 showed compliance through the completion of a successful static leak test on October 15, 2008, however, failed to show compliance with the A/L testing requirements of CARB Executive Order G-70-164-AA on pumps #1 and #3. Failing to demonstrate compliance with the A/L performance test requirements is a violation of OAC rule and Miami County Board of Health Local Air Pollution Control Regulations (MCBHLAPCR) section 3745-21-09 (DDD), OAC rule and MCBHLAPCR section 3745-15-04, and ORC section 3704.05. On October 15, 2008, an Official Order was issued to SSA #6348 to make any needed repairs and reschedule testing within a thirty (30) day time period. To date, no A/L retest has been scheduled with RAPCA.

Since the above noted GDFs are currently operating in violation of OAC rules, CCCHDAPCR sections, GCBHAPCR sections, and MCBHLAPCR sections 3745-21-09 (DDD) and 3745-15-04, ORC section 3704.05, and CARB Executive Orders G-70-150-AE and G-70-164-AA, it is imperative that SSA ensure that repairs are made to these sites to correct the deficiencies, and reschedule A/L testing to demonstrate compliance.

SSA shall respond within fourteen (14) days after receipt of this letter. The response shall include the intended retest dates for these GDFs. Your tester should contact Lynn Thompson at (937) 225-4437, to ensure a RAPCA representative is present at your scheduled testing.

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Failure to perform the required testing will subject these facilities 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
	Lisa Holscher	USEPA

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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<p>1. Article Addressed to:</p> <p>CECY KINNE SPEEDWAY SUPERAMERICA LLC PO BOX 1500 SPRINGFIELD, OH 45501</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type: <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

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