



## 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

May 29, 2007

**Certified Mail**

Sunoco-Wayne & Wyoming

Hisham Shtayyeh

42 Woodcroft Trail

Suite B

Dayton, OH 45430

RE: **Ohio EPA Premises No. 0857041445**

**Sunoco - 1502 Wayne Avenue, Dayton, OH 45410**

**Failure to pass annual stage II vapor recovery compliance testing**

**WARNING LETTER**

Dear Mr. Shtayyeh:

On March 16, 2007, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the Sunoco gasoline dispensing facility (GDF), located at 1502 Wayne Avenue in Dayton, 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 Sunoco-Wayne & Wyoming revealed violations of state and local air pollution control regulations.

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), and in accordance with the leak testing requirement specified in CARB Executive Order G-70-153-AD, the Static Leak test contained in OAC rule 3745-21-10, Appendix A, shall be successfully conducted at least once in each consecutive twelve-month period. Sunoco-Wayne & Wyoming failed to show compliance with OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2), through the completion of a successful Static Leak test on March 16, 2007. Failing to demonstrate compliance with the Static Leak test requirements is a violation of OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2), OAC rule and MCCGHDAPCR section 3745-15-04, and Ohio Revised Code (ORC) section 3704.05. On March 16, 2007, an Official Order was issued to Sunoco-Wayne & Wyoming to retest within a thirty (30) day time period, as too much ullage caused the Static Leak test cancellation on this date.

Since the above noted GDF is currently operating in violation of OAC rules and MCCGHDAPCR sections 3745-21-09 (DDD)(2) and 3745-15-04, and CARB Executive Order

Sunoco-Wayne & Wyoming

May 29, 2007

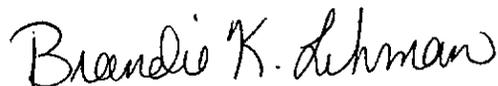
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G-70-153-AD, it is imperative that Sunoco-Wayne & Wyoming promptly reschedule Static Leak testing to demonstrate compliance.

**Sunoco-Wayne & Wyoming shall respond within fourteen (14) days after receipt of this letter.** The response shall include the intended Static Leak retest date for this GDF. Your tester should contact Casie Lord, at (937) 225-5939, 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**

- 1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 2. Print your name and address on the reverse so that we can return the card to you.
- 3. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Hisham Shtayyeh  
 Sunoco-Wayne & Wyoming  
 Suite B  
 42 Woodcroft Trail  
 Dayton, OH 45430

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Linda Stall*

- 
- Agent
- 
- 
- Addressee

B. Received by (Printed Name)

LINDA STALL

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes

Article Number

(Transfer from service label)

7004 1160 0000 6164 9807

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Dayton, OH 45430

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**CONTROL AGENCY**

Montgomery &amp; Preble Counties

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937-25-3486