



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

March 19, 2008

Certified Mail

Missy Stanaway
Speedway SuperAmerica LLC
P.O. Box 1500
Springfield, OH 45501

**RE: Ohio EPA Premises No. 0857081879
Speedway SuperAmerica #9565 – 1020 East Dorothy Lane, Kettering, OH
Failure to Pass Annual Stage II Vapor Recovery Compliance Testing**

Dear Ms. Stanaway:

WARNING LETTER

On January 9, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) at Speedway SuperAmerica LLC #9565 (SSA #9565) located at 1020 East Dorothy Lane in Kettering, 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 SSA #9565 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 testing requirements specified in CARB Executive Order G-70-150-AE, static leak testing contained in OAC rule 3745-21-10, Appendix A, and air to liquid ratio (A/L) testing shall be successfully conducted at least once in each consecutive twelve-month period. SSA #9565 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 January 9, 2008. On this date, an Official Order was issued to SSA #9565 to make any needed repairs and reschedule testing within a thirty (30) day time period. On January 22, 2008, a retest was conducted at SSA #9565, but this GDF 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 this date, as well. A second Official Order was issued to SSA #9565 on January 22, 2008 to make any needed repairs and reschedule testing within a thirty (30) day time period. To this date, no additional testing has been scheduled with RAPCA.

Speedway SuperAmerica LLC #9565

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Failing to demonstrate compliance with the testing 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.

Since the above noted GDF is currently operating in violation of OAC rules and MCCGHDAPCR sections 3745-21-09 (DDD) and 3745-15-04, and CARB Executive Order G-70-150-AE, it is imperative that SSA #9565 ensure that repairs are made to this site to correct the deficiencies, and reschedule testing to demonstrate compliance.

SSA #9565 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
	Lisa Holscher	USEPA



REGIO
Servicing

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.

1. Article Addressed to:

MISS STANAWAY
SPEEDWAY SUPERAMERICA LLC
PO BOX 1500
SPRINGFIELD, OH 45501

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 X *J. J. Sewell*
 B. Received by (Printed Name) *Timmy D Sewell* C. Date of Delivery **MAR 21 2008**
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

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

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

7004 1160 0000 6165 4641

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

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