



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 16, 2008

Certified Mail

Wayne Patrick
United Dairy Farmers
2515 Leslie Ave.
Cincinnati, OH 45212

**RE: Ohio EPA Facility ID 0857733203
United Dairy Farmers #225 – 1943 E. Siebenthaler Ave., Dayton, OH 45414
Failure to Pass Air to Liquid Ratio Test**

Dear Mr. Patrick:

WARNING LETTER

On February 7, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) located at United Dairy Farmers #225 (UDF #225), 1943 E. Siebenthaler Ave., 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 UDF #225 revealed violations of state and local air pollution control regulations.

UDF #225 did show compliance through the completion of a successful static pressure decay test on February 7, 2008, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-150-AE on pumps #7 and #8. Failing to demonstrate compliance with the A/L performance test requirements is a violation of Ohio Administrative Code (OAC) rule and Montgomery County Combined Health District Air Pollution Control Regulations (MCCGHDAPCR) section 3745-21-09 (DDD), OAC rule and MCCGHDAPCR section 3745-15-04, and Ohio Revised Code (ORC) section 3704.05. On February 7, 2008, an Official Order was issued to UDF #225 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.

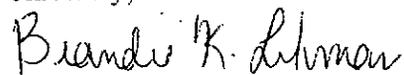
Since the above noted GDF is currently operating in violation of OAC rules and MCCGHDAPCR sections 3745-21-09 (DDD) and 3745-15-04, and CARB Executive Order G-70-150-AE, it is imperative that UDF #225 ensure that repairs are made to this site to correct the deficiencies, and reschedule A/L testing to demonstrate compliance.

UDF #225
May 16, 2008
Page 2

UDF #225 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

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.

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Victoria L Brech

B. Received by (Printed Name)
Victoria L Brech

C. Date of Delivery
5/28/08

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

CONTROL AGENCY
 Montgomery & Preble Counties
 45422-1280
 225-3486

1. Article Addressed to:
 Wayne Patrick
 United Dairy Farmers
 2515 Leslie Avenue
 Cincinnati, OH 45212

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) **7007 1490 0004 7510 0920**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**RE: Ohio EPA Facility ID 0857733203
 United Dairy Farmers #225 - 1943 E. Siebenthaler Ave., Dayton, OH 45414
 Failure to Pass Air to Liquid Ratio Test**

Dear Mr. Patrick:

WARNING LETTER

On February 7, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) located at United Dairy Farmers #225 (UDF #225), 1943 E. Siebenthaler Ave., 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 UDF #225 revealed violations of state and local air pollution control regulations.

UDF #225 did show compliance through the completion of a successful static pressure decay test on February 7, 2008, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-150-AE on pumps #7 and #8. Failing to demonstrate compliance with the A/L performance test requirements is a violation of Ohio Administrative Code (OAC) rule and Montgomery County Combined Health District Air Pollution Control Regulations (MCCGHDAPCR) section 3745-21-09 (DDD), OAC rule and MCCGHDAPCR section 3745-15-04, and Ohio Revised Code (ORC) section 3704.05. On February 7, 2008, an Official Order was issued to UDF #225 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.

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 UDF #225 ensure that repairs are made to this site to correct the deficiencies, and reschedule A/L testing to demonstrate compliance.

