



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

Imad Shtayyeh

CFX Mgt.

42 Woodcroft Trail, Suite B

Beavercreek, OH 45430

**RE: Ohio EPA Facility ID 0857041440
Keowee Sunoco – 912 Wayne Ave., Dayton, OH 45410
Failure to Pass Air to Liquid Ratio Test**

Dear Mr. Shtayyeh:

WARNING LETTER

On February 25, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) located at Keowee Sunoco, 912 Wayne Avenue, 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 Keowee Sunoco revealed violations of state and local air pollution control regulations.

Keowee Sunoco did show compliance through the completion of a successful static pressure decay test on February 25, 2008, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-153-AD on pumps #1, #3, and #5. 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 25, 2008, an Official Order was issued to Keowee Sunoco to make any needed repairs and reschedule testing within a thirty (30) day time period. On February 26, 2008, an A/L retest was performed, but again failed to show compliance on pumps #1 and #3. To this date, no additional 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-70-153-AD, it is imperative that Keowee Sunoco ensure that repairs are made to

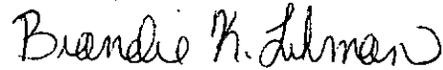
Keowee Sunoco
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Page 2

this site to correct the deficiencies, and reschedule A/L testing to demonstrate compliance.

Keowee Sunoco 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.

1. Article Addressed to:

Imad Shtayyeh
CFX Mgt.
42 Woodcroft Trail, Suite B
Beavercreek, OH 45430

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

- Agent
 Addressee

B. Received by (Printed Name)

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

2. Article Number

(Transfer from service label)

7007 1490 0004 7509 8807

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

CONTROL AGENCY

Montgomery & Preble Counties

45422-1280

25-3486

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