



## 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

Sonja Ison  
Swifty Oil Co., Inc.  
P.O. Box 1002  
Seymour, IN 47274

**RE: Ohio EPA Facility ID 0857151857  
Swifty Station #199 – 198 S. Olive Rd., Trotwood, OH 45426  
Failure to Pass Stage II Vapor Recovery Compliance Testing**

Dear Ms. Ison:

### WARNING LETTER

On March 4, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) at Swifty Station #199 located at 198 Olive Road in Trotwood, 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 Swifty Station #199 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-70-154-AA, static leak testing contained in OAC rule 3745-21-10, Appendix A, and air to liquid ratio (A/L) testing shall be successfully conducted within sixty days after the installation or modification of a vapor control system required pursuant to paragraph (DDD)(1) of this rule and at least once in each consecutive twelve-month period, thereafter. Blockage testing is also required to be completed within sixty days after the installation or modification of a vapor control system required pursuant to paragraph (DDD)(1) of this rule, and at least every five (5) years, thereafter.

Swifty Station #199 failed to show compliance with OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2), through the completion of a successful blockage test on

Swifty Station #199  
May 16, 2008  
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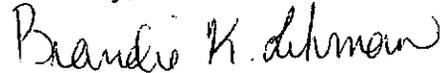
March 4, 2008. On this date, an Official Order was issued to Swifty Station #199 which required this GDF to ensure that there are test ports present for blockage testing, under each dispenser on the stage II line and to make sure that the u-trap is removed and a straight pipe to the tanks is present so there is no blockage. Within thirty (30) days after issuance of this Official Order, Swifty Station #199 was required to complete all needed repairs and reschedule compliance testing. To date, no additional testing has been scheduled with RAPCA. 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-70-154-AA, it is imperative that Swifty Station #199 ensure that repairs are made to this site to correct the deficiencies and reschedule testing to demonstrate compliance.

**Swifty Station #199 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.

Article Addressed to:

Sonja Ison  
 Swifty Oil Company, Inc.  
 PO Box 1002  
 Seymour, IN 47274

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *Ron Nelson*
 Agent  
 Addressee

B. Received by (Printed Name)

*Ron Nelson*

C. Date of Delivery

*5-21*
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

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

4. Restricted Delivery? (Extra Fee)  Yes

Article Number

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PS Form 3811, February 2004

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102595-02-M-1540

**CONTROL AGENCY**

Montgomery &amp; Preble Counties

45422-1280

937-25-3486

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