



REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

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June 30, 2008

Certified Mail

Scott Heenan

Giant Oil

3904 Corporex Park Drive, #150

Tampa, FL 33619

**RE: Ohio EPA Premises No. 0857731459
BP #478 – 5835 N. Main Street, Harrison Twp., OH 45415
Failure to Pass Annual Stage II Vapor Recovery Compliance Testing**

Dear Mr. Heenan:

WARNING LETTER

On May 12, 2008, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) at BP #478 located at 5835 N. Main Street in Harrison Township, 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 BP #478 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. BP #478 failed to show compliance with OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2), through the completion of a successful static leak test and A/L test on May 12, 2008. On this date, an Official Order was issued to BP #478 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.

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.