



## 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

December 30, 2008

### Certified Mail

Amarjit Singh

816 Buckeye Ct.

Tipp City, OH 45371

RE: Ohio EPA Facility ID 0857041488, Troy Valley Petroleum, 201 Valley St, Dayton, OH  
Ohio EPA Facility ID 0857042085, Valero Smithville, 527 S. Smithville Rd, Dayton, OH  
Ohio EPA Facility ID 0857043344, Everyday Gas Station, 2800 Philadelphia Dr, Dayton, OH  
Ohio EPA Facility ID 0857101443, RD Dryden Sunoco, 2501 Dryden Rd, Moraine, OH  
Ohio EPA Facility ID 0857821411, BP Food Mart, 5430 Brandt Pike, Huber Heights, OH  
Ohio EPA Facility ID 0857823163, Valero, 4774 Taylorsville Rd, Huber Heights, OH

### WARNING LETTER

Dear Mr. Singh:

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), the stage II vapor control systems at the Troy Valley Petroleum gasoline dispensing facility (GDF) located at 201 Valley Street in Dayton, Ohio, the Valero Smithville GDF located 527 South Smithville Road in Dayton, Ohio, the Everyday Gas Station GDF located at 2800 Philadelphia Drive in Dayton, Ohio, the RD Dryden Sunoco GDF located at 2501 Dryden Road in Moraine, Ohio, the BP Food Mart GDF located at 5430 Brandt Pike in Huber Heights, Ohio and the Valero GDF located at 4774 Taylorsville Road in Huber Heights, Ohio, must perform and successfully pass the testing requirements contained in OAC rule 3745-21-10. In accordance with the yearly static pressure decay testing requirements specified in CARB Executive Orders G-70-150-AE (Gilbarco), G-70-153-AD (Wayne), and G-70-164-AA (Hasstech) and the Static Leak Test contained in OAC rule 3745-21-10, Appendix A, Static Leak testing and Air to Liquid Ratio (A/L) testing shall be successfully conducted at least once in each twelve consecutive month period after the date of successful completion of the startup or most recent Static Leak Test.

OAC rule and MCCGHDAPCR section 3745-21-09(DDD)(1) state: "no owner or operator of a gasoline dispensing facility may cause, allow or permit the transfer of gasoline from a stationary storage tank at a GDF into a motor vehicle . . . unless the following requirements are met: . . . (c) The vapor control system has successfully passed the testing requirements contained in paragraph (DDD)(2) of this rule." The GDFs listed above are required to demonstrate compliance on an annual basis. The following table provides information regarding the last stage II vapor recovery compliance test conducted at each of these facilities and the dates that Ohio EPA Official Orders were issued to these GDFs regarding the need to perform testing.

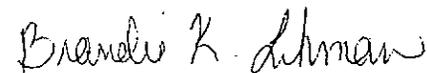
| Facility ID | Name                 | Address              | Last Test | System Type | CARB Order  | Official Order Date |
|-------------|----------------------|----------------------|-----------|-------------|-------------|---------------------|
| 0857041488  | Troy Valley Petro    | 201 Valley St        | 10/24/07  | Hasstech    | G-70-164-AA | 11/3/08             |
| 0857042085  | Valero Smithville    | 527 S Smithville     | 9/7/07    | Gilbarco    | G-70-150-AE | 11/3/08             |
| 0857043344  | Everyday Gas Station | 2800 Philadelphia Dr | 10/23/07  | Wayne       | G-70-153-AD | 11/3/08             |
| 0857101443  | RD Dryden Sunoco     | 2501 Dryden Rd       | 9/25/07   | Wayne       | G-70-153-AD | 11/5/08             |
| 0857821411  | BP Food Mart         | 5430 Brandt Pike     | 10/16/07  | Gilbarco    | G-70-150-AE | 11/3/08             |
| 0857823163  | Valero               | 4774 Taylorsville Rd | 10/18/07  | Wayne       | G-70-153-AD | 11/4/08             |

The Official Orders issued to these GDFs required testing to be scheduled within thirty (30) days of the issuance of the Orders. To date, no testing has been scheduled with RAPCA at these GDFs. These GDFs are currently operating in violation of OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2) and the prohibitions in Ohio Revised Code (ORC) section 3704.05.

This letter serves as official notification from RAPCA to cease operation in violation of OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2) and ORC section 3704.05. **It is imperative that all of the GDFs listed above schedule and show compliance with stage II testing requirements. Please respond, in writing, to this notice within fourteen (14) days after receipt. The response will specify the intended test date.** 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 these facilities to further enforcement actions, which may include penalties.

In addition to issuing this warning letter by certified mail to 816 Buckeye Court in Tipp City, Ohio, a copy of this letter is being mailed to each of the above GDFs to ensure delivery. 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:

Amarjit Singh  
816 Buckeye Court  
Tipp City, OH 45371

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

*[Signature]*

C. Date of Delivery

*[Signature]*

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)

7008 1300 0001 9323 4744

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7008 1300 0001 9323 4744

Postage \$

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Postmark  
Here

*Brandie*

To

*Sen* Amarjit Singh  
816 Buckeye Court  
*Str* Tipp City, OH 45371  
*or I*  
*City*

PS Form 3800, August 2006

See Reverse for Instructions

