



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

September 3, 2009

Certified Mail

Brad Weinschke
Murphy Oil USA, Inc.
200 Peach Street
El Dorado, AR 71730

**RE: Ohio EPA Facility ID 0857033259
Murphy USA #7162 - 7735 Hoke Rd, Clayton, OH 45315
Failure to pass annual stage II vapor recovery compliance testing**

WARNING LETTER

Dear Mr. Weinschke:

On June 19, 2009, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) at Murphy USA #7162 located at 7735 Hoke Road in Clayton, 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 Murphy USA #7162 revealed violations of these 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. Murphy USA #7162 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 June 19, 2009. On this date, an Official Order was issued to Murphy USA #7162 to make any needed repairs and reschedule testing within a thirty (30) day time period. To date, no additional testing has been scheduled with RAPCA at this GDF.

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, CARB G-70-150-AE, and Ohio Revised Code (ORC) section 3704.05.

10/10/10

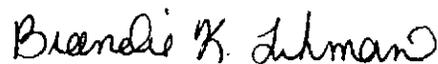
Murphy USA #7162
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Since the above noted GDF is currently operating in violation of OAC rules and MCGHDAPCR sections 3745-21-09 (DDD) and 3745-15-04, and CARB Executive Order G-70-150-AE, it is imperative that Murphy USA #7162 ensure that repairs are made to this site to correct the deficiencies, and reschedule testing to demonstrate compliance.

Murphy USA #7162 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

UNDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY		CONTROL AGENCY	
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.		A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i>		<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
Article Addressed to: Brad Weinschke Murphy Oil USA, Inc 200 Brand Street El Dorado, AR 71730		B. Received by (Printed Name) <i>[Signature]</i>		C. Date of Delivery 9-8-2009	
Article Number (transfer from service label)		D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No P.O. Box 7000		45422-1280 25-3486	
Form 3811, February 2004		Domestic Return Receipt		102595-02-M-1540	

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