



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

January 6, 2010

Certified Mail

Amarjit Singh
PAP Oil Company, LLC
4365 Lisa Drive
Tipp City, OH 45371

**RE: Ohio EPA Facility ID 0857771463 - Valley Valero, 2531 Valley Street, Dayton, OH
Failure to perform stage II vapor recovery compliance testing**

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 system at the Valley Valero gasoline dispensing facility (GDF) located at 2531 Valley Street in Dayton, 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 Order G-70-150-AE 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 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. Dynamic pressure testing is also required to be successfully 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.

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." On September 16, 2009, a full stage II vapor recovery compliance test was scheduled to take place at Valley Valero under the previous ownership, but was canceled due to construction issues at this site. On November 19, 2009, an Official Order was issued to you by the Regional Air Pollution Control Agency (RAPCA) to make any

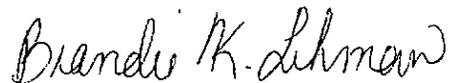
Valley Valero
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needed repairs and reschedule testing within thirty (30) days of the issuance of the Order. To date, no testing has been rescheduled with RAPCA at this site. Valley Valero is currently operating in violation of OAC rule and MCCGHDAPCR 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 Valley Valero schedule and show compliance with stage II testing requirements. **Please respond, in writing, to this notice within fourteen (14) days after receipt of this letter. 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 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

COMPLETE THIS SECTION

Items 1, 2, and 3. Also complete Restricted Delivery is desired. 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.

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A. Signature Agent Addressee
 B. Received by (Printed Name) C. Date of Delivery
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

CONTROL AGENCY
 Montgomery & Preble Counties
 45422-1280
 25-3486

1. Article Addressed to:

**Amarjit Singh
 PAP Oil Company, LLC
 4365 Lisa Dr.
 Tipp City, OH 45371**

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

Article Number (Transfer from service label) **7008 1830 0003 0181 1993**

S Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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