



## 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

February 18, 2010

### Certified Mail

Alem Abebe

Starfire Express

3499 W. Siebenthaler Ave.

Dayton, OH 45406

RE: Ohio EPA Facility ID 0857731547

Failure to perform annual stage II vapor recovery compliance testing

### WARNING LETTER

Dear Ms. Abebe:

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 Starfire Express gasoline dispensing facility (GDF) located at 3499 W. Siebenthaler Avenue 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-70-154-AA 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." This GDF is required to demonstrate compliance on an annual basis. The last successful Static Leak test conducted at Starfire Express was performed on October 24, 2008. On November 19, 2009, the Regional Air Pollution Control Agency (RAPCA) issued a Health District Order to Starfire Express, requesting that testing be scheduled within thirty (30) days of the issuance of that Order. On January 26, 2010, an annual stage II vapor recovery compliance test was scheduled to take place at Starfire Express, but was canceled. To date, no additional testing has been scheduled with RAPCA at this site. Starfire Express is

Starfire Express  
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currently operating in violation of OAC rule and MCGHDAPCR section 3745-21-09 (DDD) 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 MCGHDAPCR section 3745-21-09 (DDD) and ORC section 3704.05. It is imperative that Starfire Express 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

# REGIONAL AIR POLLUTION CONTROL AGENCY

Preble Counties

2-1280

486

**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.

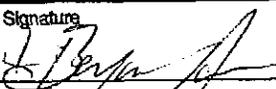
1. Article Addressed to:

Alem Abebe  
Starfire Express  
3499 West Siebenthaler Ave.  
Dayton, OH 45406

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X



Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

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Return Receipt for Merchandise

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4. Restricted Delivery? (Extra Fee)

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Domestic Return Receipt

102595-02-M-1540

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