



## 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**

Anil Jain

Jain Inc.

1895 Rich Court

Beavercreek, OH 45432

**RE: Ohio EPA Facility ID 0857041624 - Shell-Jain Inc., 1224 S Main St., Dayton, OH  
Failure to pass stage II vapor recovery compliance testing**

**WARNING LETTER**

Dear Mr. Jain:

On December 15, 2009, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the Shell gasoline dispensing facility (GDF) located at 1224 South Main Street in Dayton, 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 Shell 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-70-153-AD, 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.

Shell did show compliance through the completion of a successful A/L test on December 15, 2009, but failed to show compliance with OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2), through the completion of a successful Static Leak test on this date. The last successful Static Leak test performed at Shell was conducted on January 6, 2009. RAPCA issued a Health District Order to Shell on December 15, 2009 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.

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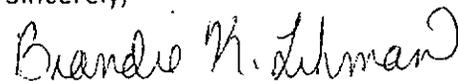
Failing to demonstrate compliance with the testing requirements is a violation of OAC rule and MCCGHDAPCR section 3745-21-09 (DDD), CARB Executive Order G-70-153-AD, and Ohio Revised Code (ORC) section 3704.05.

Since the above noted GDF is currently operating in violation of OAC rule and MCCGHDAPCR section 3745-21-09 (DDD) and CARB Executive Order G-70-153-AD, it is imperative that Shell ensure that repairs are made to this site to correct the deficiencies, and reschedule testing to demonstrate compliance.

**Shell 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

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  
 Agent  
 Addressee  
 X *Ashima Jain*

B. Received by (Printed Name)  
*Ashim A Jain*

C. Date of Delivery  
*2-19-10*

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

Montgomery & Preble Counties  
 45422-1280  
 25-3486

1. Article Addressed to:

Anil Jain  
 Jain Inc.  
 1895 Rich Court  
 Beavercreek, OH 45432

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    7004 1160 0000 6165 2067

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-0

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