



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

June 15, 2010

Certified Mail

Amarjit Singh

4365 Lisa Drive

Tipp City, OH 45371.

RE: Ohio EPA Facility ID 0857042085, Valero Smithville, 527 S. Smithville Rd, Dayton, OH
Ohio EPA Facility ID 0857731996, Marathon Food Center, 2145 Needmore Rd, Dayton, OH
Ohio EPA Facility ID 0857821411, Valero, 5430 Brandt Pike, Huber Heights, OH
Ohio EPA Facility ID 0857823163, Valero, 4774 Taylorsville Rd, Huber Heights, OH
Ohio EPA Facility ID 0857041488, Marathon, 201 Valley St, Dayton, OH
Ohio EPA Facility ID 0812100490, Valero, 1242 St. Paris Pike, Springfield, OH

WARNING LETTER

Dear Mr. Singh:

Pursuant to Ohio Administrative Code (OAC) rule 3745-21-09 (DDD)(2), Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) section 3745-21-09 (DDD)(2), and Clark County Combined Health District Air Pollution Control Regulations section 3745-21-09 (DDD)(2), the stage II vapor control systems at the Valero Smithville gasoline dispensing facility (GDF) located at 527 S. Smithville Road in Dayton, Ohio, the Marathon Food Center GDF located 2145 Needmore Road in Dayton, Ohio, the Valero GDF located at 5430 Brandt Pike in Huber Heights, Ohio, the Valero GDF located at 4774 Taylorsville Road in Huber Heights, Ohio, the Marathon GDF located at 201 Valley Street in Dayton, Ohio and the Valero GDF located at 1242 St. Paris Pike, Springfield, 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 3745-21-09(DDD)(1), MCCGHDAPCR section 3745-21-09(DDD)(1), and CCCHDAPCR 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.

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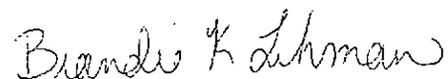
Facility ID	Name	Address	Last Test	System Type	CARB Order	Official Order Date
0857042085	Valero Smithville	527 S Smithville Rd	4/13/2009	Gilbarco	G-70-150-AE	4/29/2010
0857731996	Marathon Food Center	2145 Needmore Rd	4/21/2009	Gilbarco	G-70-150-AE	4/29/2010
0857821411	Valero	5430 Brandt Pike	4/23/2009	Gilbarco	G-70-150-AE	4/29/2010
0857823163	Valero	4774 Taylorsville Rd	4/23/2009	Wayne	G-70-153-AD	4/29/2010
0857041488	Marathon	201 Valley St	4/28/2009	Hasstech	G-70-164-AA	4/29/2010
0812100490	Valero	1242 St. Paris Pike	4/30/2009	Gilbarco	G-70-150-AE	4/29/2010

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 3745-21-09 (DDD)(2), MCCGHDAPCR or CCCHDAPCR 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 3745-21-09 (DDD)(2), MCCGHDAPCR section 3745-21-09 (DDD)(2), CCCHDAPCR 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.

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

... items 3, 4a, and 4b.
 your name and address on the reverse of this form so that we can return this
 to you.
 Attach this form to the front of the mailpiece, or on the back if space does not
 permit.
 Write "Return Receipt Requested" on the mailpiece below the article number.
 The Return Receipt will show to whom the article was delivered and the date
 delivered.

I also wish to receive the
 following services (for an
 extra fee):
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

CONTROL AGENCY
 Montgomery & Preble Counties
 45422-1280
 937-225-3486

Thank you for using Return Receipt Service.

3. Article Addressed to: 7002 2410 0007 8888 6449

Amarjit Singh
 4365 Lisa Drive
 Tipp City, OH 45371

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)
 DEB SINGH

8. Addressee's Address (Only if requested
 and fee is paid)

Signature: (Addressee or Agent)
 X 

PS Form 3811, December 1994

Domestic Return Receipt

Smithville Rd, Dayton, OH
 2145 Needmore Rd, Dayton, OH

- RE: OHIO EPA FACILITIES
- Ohio EPA Facility ID 0857731996, Marathon Food Center,
 - Ohio EPA Facility ID 0857821411, Valero, 5430 Brandt Pike, Huber Heights, OH
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