



REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-3280

937-225-4435 — Fax: 937-225-3486

www.rapca.org



July 12, 2011

Certified Mail

Mazin Mohammad
N & A Enterprises, Inc.
6101 West 3rd Street
Dayton, OH 45427

RE: Ohio EPA Facility ID 0857761808 - Fuel America, 6101 W 3rd St, Dayton, OH
Failure to Pass Air to Liquid Ratio Test

Dear Mr. Mohammad:

WARNING LETTER

On June 8, 2011, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) at Fuel America, 6101 West 3rd 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 Fuel America revealed violations of these regulations.

Fuel America did show compliance through the completion of a successful static leak test on the Tokheim stage II vapor control system on June 8, 2011, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-154-AA on pump #8 on this date. Failing to demonstrate compliance with the A/L testing requirement is a violation of Ohio Administrative Code (OAC) rule and Montgomery County Combined General Health District Air Pollution Control Regulations (MCCGHDAPCR) section 3745-21-09 (DDD), CARB Executive Order G-70-154-AA, and Ohio Revised Code (ORC) 3704.05. On June 8, 2011, an Official Order was issued to Fuel America to make any needed repairs and reschedule A/L testing on pump #8 within a thirty (30) day time period. To date, no A/L retest has been scheduled with RAPCA at this GDF.

Since the above noted GDF is currently operating in violation of OAC rule and MCCGHDAPCR section 3745-21-09 (DDD), CARB Executive Order G-70-154-AA and ORC 3704.05, it is imperative that Fuel America ensure that repairs are made to this site to

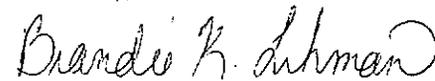
N & A Enterprises, Inc.
July 12, 2011
Page 2

correct the deficiencies, and reschedule A/L testing on pump #8 to demonstrate compliance.

Fuel America 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.

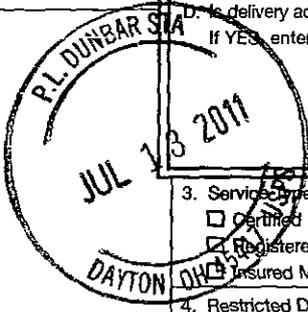
Sincerely,



Brandie K. Lehman
Air Pollution Control Specialist

cc:	Jeff Canan	RAPCA
	Tom Kalman	OEPA
	William MacDowell	USEPA, Region V

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery 7-13-11</p>
<p>1. Article Addressed to:</p> <p>Mazin Mohammad N & A Enterprises, Inc. 6101 West 3rd Street Dayton, OH 45427</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7008 1830 0003 0181 2235</p>



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

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Sent To: Mazin Mohammad
N & A Enterprises, Inc.

Street, or PO #: 6101 West 3rd Street
City, St: Dayton, OH 45427

PS Form 3800, August 2008 See Reverse for Instructions

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