



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

October 27, 2011

Certified Mail

Aaron Besmer
Meijer Stores Limited Partnership
2929 Walker Avenue, NW
Grand Rapids, MI 49544

**RE: Ohio EPA Facility ID 0857782026 - Meijer #103, 5888 Springboro Pike, Dayton, OH 45449
Failure to pass annual stage II vapor recovery compliance testing**

WARNING LETTER

Dear Mr. Besmer:

On September 12, 2011, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) located at Meijer #103, 5888 Springboro Pike 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 Meijer #103 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-70-150-AE for Gilbarco VaporVac stage II vapor recovery systems, static leak testing and air to liquid ratio (A/L) testing shall be successfully conducted at least once in each consecutive twelve-month period. Meijer #103 failed to show compliance with OAC rule and MCCGHDAPCR section 3745-21-09 (DDD)(2) and CARB Executive Order G-70-150-AE on September 12, 2011 through the completion of a successful static leak test. On this date, an Official Order was issued by RAPCA to Meijer #103 to make any needed repairs and reschedule testing within a thirty (30) day time period. To date, no static leak retest has been scheduled with RAPCA at Meijer #103.

Failing to demonstrate compliance with the stage II vapor recovery compliance testing requirements is a violation of OAC rule and MCCGHDAPCR section 3745-21-09(DDD)(2), CARB Executive Order G-70-150-AE, and Ohio Revised Code (ORC) 3704.05.

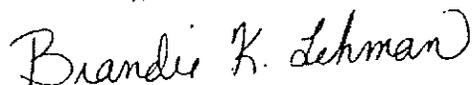
Since the above noted GDF is currently operating in violation of OAC rule and MCCGHDAPCR section 3745-21-09(DDD)(2), CARB Executive Order G-70-150-AE and ORC 3704.05, it is imperative that Meijer #103 ensure that repairs are made to this site to correct any deficiencies and reschedule testing to demonstrate compliance.

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Meijer #103 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

Jeff Canan
Tom Kalman
William MacDowell

RAPCA
OEPA
USEPA, Region V