



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

Randy Singh
R&R Takhar Oil Co., Inc.
7030 Poe Avenue, Bldg A
Dayton, OH 45414

**RE: Ohio EPA Facility ID 0857821428 - Marathon Food Mart, 7851 Old Troy Pk, Huber Heights, OH
Failure to Pass Air to Liquid Ratio Test**

Dear Mr. Singh:

WARNING LETTER

On August 17, 2011, the Regional Air Pollution Control Agency (RAPCA) conducted an inspection and witnessed a performance test of the gasoline dispensing facility (GDF) at Marathon Food Mart, 7851 Old Troy Pike in Huber Heights, 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 Marathon Food Mart revealed violations of these regulations.

Marathon Food Mart did show compliance through the completion of a successful static leak test on the Gilbarco VaporVac stage II vapor control system on August 17, 2011, however, this site failed to show compliance with the Air to Liquid ratio (A/L) testing requirements of CARB Executive Order G-70-150-AE on pumps #2 (midgrade) and #6 (all grades) 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-70-150-AE, and Ohio Revised Code (ORC) 3704.05. On August 17, 2011, an Official Order was issued to Marathon Food Mart to make any needed repairs and reschedule A/L testing on pumps #2 and #6 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-70-150-AE and ORC 3704.05, it is imperative that Marathon Food Mart ensure that repairs are made to this site to correct the deficiencies, and reschedule A/L testing on pumps #2 and #6 to demonstrate compliance.

Marathon Food Mart 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.

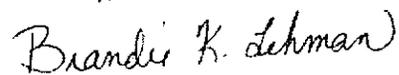
Marathon Food Mart

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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