



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

July 1, 2013

Certified Mail

Joseph Daoud, Owner
Auto Plus Parts and Service
864 N. Main Street
Dayton, Ohio 45405

WARNING LETTER

On June 26, 2013, representatives from the Regional Air Pollution Control Agency (RAPCA) inspected Auto Plus Parts and Service, located at 864 N. Main Street, Dayton, Ohio, to determine compliance with the requirements contained in Ohio Administrative Code (OAC) Chapter 3745-80 regarding the sale or offering for sale of motor vehicles. During the inspection, two vehicles offered for sale at your facility were identified as having tampered emission systems (i.e. no catalytic converters and/or PCV valve). Knowingly offering for sale a vehicle which has been tampered with is a violation of OAC rule 3745-80-02 (E). A form noting the vehicles inspected, and description of any tampering discovered, was presented to you after the inspection. A copy of this form is enclosed.

The tampering discovered on the motor vehicles noted in the enclosed document should be corrected within thirty (30) days of the above-noted inspection date. Written confirmation that the above-mentioned vehicles have been repaired or properly salvaged shall be sent within fourteen (14) days of the completion of repairs or salvage to:

Regional Air Pollution Control Agency
117 S. Main Street
Dayton, OH 45422-1280

Please note that this Warning Letter does not constitute a waiver of Ohio EPA's ability to pursue further enforcement action concerning these or other violations or to seek civil penalties as provided in Revised Code Chapter 3704.

If you have any further questions, or require additional information concerning this situation, please do not hesitate to contact me at (937) 225-5931.

Sincerely,


Brian Huxtable
Enclosure

CC Jefferis Canan, RAPCA Enforcement Supervisor



State of Ohio Environmental Protection Agency

STATEWIDE ANTI-TAMPERING PROGRAM
AUTO DEALER AUDIT FINDINGS

Contact and Title <i>Joseph David, Owner</i>	County <i>Montgomery</i>	Date <i>6/26/13</i>	Time <i>10⁰⁰ am</i>
Facility Name <i>Auto Plus Sales & Service</i>	Telephone ()		Anti-Tampering Inspectors, Agency <i>Brian Hostette (RAPCA)</i> <i>Jason Simon</i>
Address <i>864 N. Main Street</i>	City <i>Dayton</i>		
City <i>Dayton</i>	ZIP <i>45405</i>		
Type of Dealership: New <input type="checkbox"/> or Used <input checked="" type="checkbox"/>	Directed or Scheduled Audit	Complaint on File? <i>No</i>	
Number Vehicles Offered for Sale <i>35</i>	Number of Vehicles Inspected <i>10</i>	Number of Tampered Vehicles <i>2</i>	
Dealer Permit Number <i>UD011292</i>	Approximate Monthly Sales (in \$)		
Copy of Anti-Tampering Regulation (ORC 3704.16) Presented? <i>Yes</i>	Other Anti-Tampering Information Presented (please list) <i>Ohio EPA Fact Sheets</i>		

VEHICLE TAMPERING REPORT

Tag# / Fleet #	Year	Make	Model	New or <u>Used Vehicle?</u>
		<i>2012</i>	<i>Honda</i>	
Serial (VIN) # <i>1G8DT19X9W865012B</i>	Transmission Type: Automatic <input type="checkbox"/> or Manual <input type="checkbox"/>		Emission System: 49 State Canadian California	
PCV	TAC	AIR	EEC	O ₂ EGR FIR CAT EXHT
Description of Tampering <i>Straight Pipes, missing cats</i>			Place and Date of Vehicle Purchase <i>Address</i>	
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>	Date	Signature of Auditor		

I understand that an audit of my facility has been conducted to determine compliance with Ohio's state-wide anti-tampering law (Ohio Revised Code Sections 3704.16 - 3704.162). I have been informed, by the Ohio EPA representatives listed above, of any vehicles offered for sale on the premises of my facility that were found to be in a tampered condition. For those vehicles identified as tampered, the missing or non-functioning emission system(s) have been listed on this form.

I understand that the tampered items on each vehicle must be corrected immediately if the vehicle is to continue to be offered for sale. If the tampered items cannot be corrected immediately, the vehicle(s) must not be offered for sale until all the tampered items are corrected. Continuing to offer for sale a vehicle that has been identified as tampered is a violation of ORC 3704.16 and shall be subject to the appropriate penalties, pursuant to ORC 3704.99.

Departure Time <i>11⁰⁰ am</i>	Number of Pages <i>4</i>	Recipient's Signature (Owner or Manager) <i>[Signature]</i>
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VEHICLE TAMPERING REPORT

Tag# / Fleet #				Year 2004	Make Dodge	Model Dakota SLT	New or <u>Used Vehicle?</u>	
Serial (VIN) # 1D7HG48N34S751731				Transmission Type: Automatic <input checked="" type="checkbox"/> or Manual <input checked="" type="checkbox"/>		Emission System: 49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering None						Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor		
Tag# / Fleet #				Year 2002	Make Ford	Model F-150	New or <u>Used Vehicle?</u>	
Serial (VIN) # 2FTRX1724CA26131				Transmission Type: Automatic <input checked="" type="checkbox"/> or Manual <input type="checkbox"/>		Emission System: 49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering None						Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor		
Tag# / Fleet #				Year 2003	Make Ford	Model Freestar	New or <u>Used Vehicle?</u>	
Serial (VIN) # 2FMZA51664BA25134				Transmission Type: Automatic <input checked="" type="checkbox"/> or Manual <input type="checkbox"/>		Emission System: 49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering None						Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor		
Tag# / Fleet #				Year 1998	Make Mitsubishi	Model Eclipse	New or <u>Used Vehicle?</u>	
Serial (VIN) # 4A3AK44Y8AE043556				Transmission Type: Automatic <input type="checkbox"/> or Manual <input checked="" type="checkbox"/>		Emission System: 49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering Missing Header w/ straight pipes - no cat, no PCV						Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor		



VEHICLE TAMPERING REPORT

Tag# / Fleet #				Year	Make	Model	New or <u>Used Vehicle?</u>	
				1999	Honda	Civic		
Serial (VIN) #				Transmission Type:		Emission System:		
1HG E38142 XL 079958				Automatic <input type="checkbox"/> or Manual <input checked="" type="checkbox"/>		49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering						Place and Date of Vehicle Purchase		
None								
Tampering Corrected			Date	Signature of Auditor				
Yes <input type="checkbox"/> No <input type="checkbox"/>								
Tag# / Fleet #				Year	Make	Model	New or <u>Used Vehicle?</u>	
				2001	Cx0	Prism		
Serial (VIN) #				Transmission Type:		Emission System:		
1Y1SK52852Z414775				Automatic <input checked="" type="checkbox"/> or Manual <input type="checkbox"/>		49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering						Place and Date of Vehicle Purchase		
None								
Tampering Corrected			Date	Signature of Auditor				
Yes <input type="checkbox"/> No <input type="checkbox"/>								
Tag# / Fleet #				Year	Make	Model	New or <u>Used Vehicle?</u>	
				2000	Honda	Accord-coupe		
Serial (VIN) #				Transmission Type:		Emission System:		
1HGCG2257YA036921				Automatic <input checked="" type="checkbox"/> or Manual <input type="checkbox"/>		49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering						Place and Date of Vehicle Purchase		
None								
Tampering Corrected			Date	Signature of Auditor				
Yes <input type="checkbox"/> No <input type="checkbox"/>								
Tag# / Fleet #				Year	Make	Model	New or <u>Used Vehicle?</u>	
				1989	Subaru	Turbo		
Serial (VIN) #				Transmission Type:		Emission System:		
JF1AA45BBSFC009520				Automatic <input checked="" type="checkbox"/> or Manual <input type="checkbox"/>		49 State Canadian California		
PCV	TAC	AIR	EBC	O ₂	EGR	FIR	CAT	EXHT
Description of Tampering						Place and Date of Vehicle Purchase		
None								
Tampering Corrected			Date	Signature of Auditor				
Yes <input type="checkbox"/> No <input type="checkbox"/>								



VEHICLE TAMPERING REPORT

Tag# / Fleet #				Year	Make	Model	New or <u>Used Vehicle?</u>		
Serial (VIN) # 3Z57K8M706976				Transmission Type: Automatic <input checked="" type="checkbox"/> or Manual <input type="checkbox"/>			Emission System: 49 State Canadian California		
PCV	TAC	AIR	EEC	O ₂	EGR	FIR	CAT	EXHT	
Description of Tampering <i>None</i>							Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor			
Tag# / Fleet #				Year	Make	Model	New or Used Vehicle?		
Serial (VIN) #				Transmission Type: Automatic <input type="checkbox"/> or Manual <input type="checkbox"/>			Emission System: 49 State Canadian California		
PCV	TAC	AIR	EEC	O ₂	EGR	FIR	CAT	EXHT	
Description of Tampering							Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor			
Tag# / Fleet #				Year	Make	Model	New or Used Vehicle?		
Serial (VIN) #				Transmission Type: Automatic <input type="checkbox"/> or Manual <input type="checkbox"/>			Emission System: 49 State Canadian California		
PCV	TAC	AIR	EEC	O ₂	EGR	FIR	CAT	EXHT	
Description of Tampering							Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor			
Tag# / Fleet #				Year	Make	Model	New or Used Vehicle?		
Serial (VIN) #				Transmission Type: Automatic <input type="checkbox"/> or Manual <input type="checkbox"/>			Emission System: 49 State Canadian California		
PCV	TAC	AIR	EEC	O ₂	EGR	FIR	CAT	EXHT	
Description of Tampering							Place and Date of Vehicle Purchase		
Tampering Corrected Yes <input type="checkbox"/> No <input type="checkbox"/>				Date		Signature of Auditor			

