



State of Ohio Environmental Protection Agency

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CRD File

Southwest District

401 East Fifth Street  
Dayton, Ohio 45402-2911

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Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

April 24, 2007

Mr. John M. Slavens  
Hollencamp and Hollencamp  
Suite 2107  
130 West Second Street  
Dayton, Ohio 45402

**RE: 821 Hall Street Property, Dayton, Ohio**

Dear Mr. Slavens:

This letter is to inform you that the property at 821 Hall Street, Dayton Ohio has not been properly secured in accordance with the Cessation of Regulated Operations Rules as described in the Ohio Administrative Code (OAC).

In accordance with OAC 3745-352-25(B)(1), If you are a holder of a first mortgage on real property at a reporting facility that has been abandoned by the owner and at which all regulated operations have been temporarily or permanently discontinued, you must submit EPA form 0330 and provide for site security. The Ohio Environmental Protection Agency received EPA form 0330 on January 10, 2007, but site security measures have not been completed.

OAC 3745-352-30 states that you must secure against unauthorized entry into each outdoor location of operation at the facility where regulated operations were conducted that contains or is contaminated with regulated substances by providing entry barriers, posting warning signs, and maintaining security measures as provided in this rule.

You must use one or more of the following methods:

- (1) Board, lock, or use other means to secure all windows, doors, and other potential means of entry;
- (2) Provide fencing;

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- (3) Provide lighting and a surveillance system;
- (4) Provide security through the employment of a guard or security service; or
- (5) Demonstrate to the satisfaction of the director that the proposed security measures secure against unauthorized entry into each building or structure at the facility where regulated operations were conducted that contains or is contaminated with regulated substances and each outdoor location of operation.

The building has been secured with locks and other means to prevent entry and warning signs have been posted. However, National City Bank is currently in violation of OAC Rule 3745-325-30 by failing to secure the outdoor location containing regulated substances. Drums of waste are still located in the alley behind the building in an unsecure area. Please immediately secure the outside location as described above.

If you have any questions or need additional information, please contact me at (937) 285-6083.

Sincerely,



Brian Marlatt  
Environmental Specialist  
Division of Hazardous Waste Management

cc: Judi L. Tinnel, National City Bank  
Dinah Crawford, SWDO/DHWM File

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