



State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

November 20, 2007

Mr. Phillip Spotts
SMART PAPERS
601 North B Street
Hamilton, Ohio 45013

Re: Butler County, Smart Papers LLC, NPDES Permit Violations

Dear Mr. Spotts:

We have reviewed your Monthly Operating Reports (MORs) covering the months of July through September 2007 for the referenced facility. Our review indicates violations of the conditions of your NPDES Permit (NPDES Permit # OH0010065; OEPA Permit # 11A00009*ED). The specific instances of noncompliance and deficiencies were as follows:

Effluent Limit Violations				
Reporting Period	Parameter	Limit Type	Limit	Reported Value
July 2007	Water Temperature	1D Conc	37	37.2
July 2007	Water Temperature	1D Conc	37	37.2
August 2007	Water Temperature	1D Conc	37	38.
August 2007	Water Temperature	1D Conc	37	37.8
August 2007	Water Temperature	1D Conc	37	40.
August 2007	Water Temperature	1D Conc	37	38.2
August 2007	Water Temperature	1D Conc	37	37.7
August 2007	Water Temperature	1D Conc	37	38.7
August 2007	Water Temperature	1D Conc	37	38.9
August 2007	Water Temperature	1D Conc	37	40.2
August 2007	Water Temperature	1D Conc	37	39.6
August 2007	Water Temperature	1D Conc	37	39.6
August 2007	Water Temperature	1D Conc	37	39.6
August 2007	Water Temperature	1D Conc	37	38.5
August 2007	Water Temperature	1D Conc	37	39.4
August 2007	Water Temperature	1D Conc	37	37.1
August 2007	Water Temperature	1D Conc	37	37.8
August 2007	Water Temperature	1D Conc	37	37.9
August 2007	Water Temperature	1D Conc	37	37.8

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Effluent Limit Violations				
Reporting Period	Parameter	Limit Type	Limit	Reported Value
August 2007				
August 2007	Water Temperature	1D Conc	37	37.9

Please be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting requirements of your NPDES Permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

We have reviewed your reports addressing the reasons for the above violations and the actions being taken to prevent further occurrences. No additional information is requested at this time. Future violations must continue to be reported as required by the NPDES Permit as detailed in Part III.12 titled "Noncompliance Notification."

If you have any questions regarding the above, please contact me at (937) 285-9749.

Sincerely,



Laura Pohlman
Division of Surface Water
Permit Section