



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049  
Columbus, OH 43216-1049



\*1IN0029220100216\*

MONTGOME CREATIVE TECHNOLOGY ACCELERATOR

WALBRIDGE, MATT 2010/02/16

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

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State of Ohio Environmental Protection Agency

**Southwest District Office**

401 E. Fifth St.  
Dayton, Ohio 45402

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

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

February 16, 2010

RE: Notice of Violation  
Failure to Monitor and Report  
NPDES Permit 11N00292\*AD

Mr. Steve Nutt  
CityWide Development Corporation  
8 North Main St  
Dayton, OH 45402-0457

Dear Mr. Nutt:

CityWide Development Corporation (CityWide) holds National Discharge Elimination System (NPDES) permit 11N00292\*AD for its Creative Technology Accelerator facility. This permit was issued on November 9, 2009 and became effective December 1, 2009. Given the permit was issued in draft form on September 18, 2009 and that our subsequent correspondence specifically addressed monitoring requirements, CityWide had knowledge, time and opportunity to arrange for the monitoring and reporting requirements of the permit.

However, CityWide has failed to monitor during December 2009 and January 2010 with only pH monitoring proposed to occur in February before full compliance with the monitoring requirements is projected to begin in March 2010. The failures to monitor and report are significant violations and require the following actions:

1. The reports required for the months of December 2009 and January 2010 must be submitted using the e-DMR reporting system. The reporting code 'AH' is used for instances when samples are not taken an explanation is required.
2. Quarterly monitoring missed in December 2009 shall be made up by conducting monitoring during February, April or May 2010. Results shall be reported using the e-DMR reporting system.

Please provide a written response by March 5, 2010 indicating your intention to comply with the requirements of this letter. If you have any questions concerning this notice of violation, please call me at (937) 285-6095.

Sincerely,

Matt Walbridge  
Division of Surface Water

CC: Dave Robinson – Weston Solutions

