



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



1GN0003420110309

MONTGOME IRG DAYTON 1 LLC *

OSTENDORF, ROBE 2011/03/09

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

Ohio EPA is an Equal Opportunity Employer



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

File Copy

March 9, 2011

Mr. Joseph Staeuble
Operations Manager
Ohio Realty Advisors
3623 Brecksville Road
Richfield, OH 44286

Re: Montgomery County, IRG Dayton 1, LLC, Compliance Evaluation Inspection and
Notice of Violation

Dear Mr. Staeuble:

On March 2, 2011, I conducted a Compliance Evaluation Inspection at IRG Dayton 1, LLC, (NPDES Permit No. OHN000003; OEPA Permit No. 1GN00034*AG). A copy of the inspection report has been included with this letter.

Upon performing a compliance review of the DMR's submitted by the facility it was noted that several of the DMR's have not been submitted. During the inspection we discussed that you recently completed the steps required to allow you to electronically submit the DMR. You indicated that you would be submitting the missing reports over the next several weeks to get caught up on the reports.

During the inspection we also reviewed the monitoring practices currently in place. It was discovered that temperature being reported is not a maximum temperature as required by the permit. You stated that you would purchase and install a maximum indicating thermometer. During our discussion you indicated that you would be performing maintenance on the heat exchanger unit sometime during the next several months. The maintenance activities are weather dependent as the unit provides both heating and cooling for the facility. You indicated that it was your intent to install a maximum indicating thermometer at that time. It was agreed upon that the maximum indicating thermometer would be installed by no later than June 1, 2011.

It was determined during the inspection that the facility had not submitted a Notice of Intent (NOI) form and the associated fee for continuing coverage under the general permit. I provided you with the required form to complete and submit. Subsequent to the inspection we met to review the completed form. At that time you indicated that you would be submitting the form as soon as you received a check for the fee associated with the submittal.

Mr. Joseph Staeuble
March 9, 2011
Page 2

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

It was a pleasure meeting with you during the inspection and if you have any questions or concerns regarding this matter please feel free to contact me at (937) 285-6107 or via email at: robert.ostendorf@epa.ohio.gov .

Sincerely,



Bob Ostendorf Jr.
Division of Surface Water
Permits Section

Enclosure



State of Ohio Environmental Protection Agency
Southwest District Office

NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1GN00034*AG	OH000003	3/4/11	C	S	2

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
IRG Dayton 1, LLC 1435 Cincinnati Street Dayton, OH 45417	10:00 a.m.	3/19/2008
	Exit Time	Permit Expiration Date
	11:00 a.m.	12/31/2009
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Mr. Joseph Staeuble, Operations Manager (Ohio Realty Advisors)	937-414-8889	
Name, Address and Title of Responsible Official	Phone Number	
Mr. Joseph Staeuble IRG Dayton 1435 Cincinnati Street Dayton, OH 45417	937-414-8889	

Section C: Areas Evaluated During Inspection					
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
U	Permit	S	Flow Measurement	N	Pretreatment
U	Records/Reports	S	Laboratory	N	Compliance Schedule
S	Operations & Maintenance	N	Effluent/Receiving Waters	U	Self-Monitoring Program
S	Facility Site Review	N	Sludge Storage/Disposal	N	Other
N	Collection System				

Section D: Summary of Findings (Attach additional sheets if necessary)	
<p>It was discovered during the inspection that the temperature being monitored is not the maximum temperature. The facility is in process of completing and submitting past DMRs. The facility had not submitted an NOI for coverage under the new general permit. These matters were discussed during the inspection and additional information is provided in the cover letter for this inspection report.</p>	
Inspector	Reviewer
 Bob Ostendorf Jr. Permit Section Division of Surface Water Southwest District Office	 Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office
3-9-11 Date	3/9/11 Date

