



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



1PX0003120090128

MONTGOME SCHUSTER PERFORMING ARTS CTR

OSTENDORF, ROBE 2009/01/28

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

Ohio EPA is an Equal Opportunity Employer



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 Korteski, Director

January 28, 2009

Mr. Ray A. McDowell, Chief Engineer
Victoria Theatre Association
138 North Main Street
Dayton, Ohio 45402

Re: Montgomery County, Schuster Performing Arts Center, NPDES Permit Violations

Dear Mr. McDowell:

The Ohio EPA has completed a compliance evaluation of the Monthly Operating Reports covering the months of October 2007 through December 2008 for Schuster Performing Arts Center. The evaluation indicates violations of the conditions of your NPDES Permit (NPDES Permit # OH0132209; OEPA Permit # 1PX00031*AD). The specific instances of noncompliance are as follows:

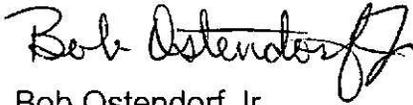
Frequency /Reporting Violations					
Reporting Period	Parameter	Sample Frequency	Expected	Reported	Violation Date
May 2008	Temperature	1/Week	1	0	05/15/2008
May 2008	Flow	1/Week	1	0	05/15/2008
August 2008	Temperature	1/Week	1	0	08/15/2008
August 2008	Flow	1/Week	1	0	08/15/2008

Please inform this office, in writing, within ten days of receipt of this notification as to the reason for the above referenced violations, as well as a description of the actions taken or proposed to prevent further violations. Your response should include the dates, either actual or proposed, for completion of said actions. 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.

Mr. Ray A. McDowell
January 28, 2009
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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.state.oh.us.

Sincerely,

A handwritten signature in cursive script that reads "Bob Ostendorf Jr." The signature is written in black ink and is positioned above the typed name.

Bob Ostendorf Jr.
Division of Surface Water
Permit Section