



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

November 27, 2012

Mr. Jerry Mullins
 City of Troy
 1400 Experiment Farm Road
 Troy, Ohio 45373

RE: Dye Mill Road Class IV Composting Facility, Return to Compliance

Dear Mr. Mullins:

In a letter dated November 20, 2012, Ohio EPA provided notice of violations occurring at Dye Mill Road Class IV Composting Facility (Facility) located at 1200 Dye Mill Road, Troy, Miami County, Ohio. The violations were communicated to the City following an inspection conducted on November 13, 2012. On November 26, 2012, Ohio EPA performed a follow-up inspection of the Facility to determine compliance with Ohio's solid waste laws and regulations. As a result of the inspection, Ohio EPA determined Dye Mill Road Class IV Composting Facility abated the following violations:

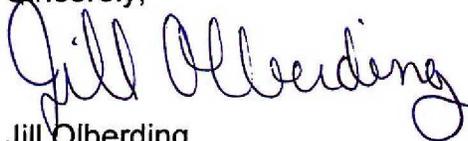
Citation	Requirement	Action taken
OAC Rule 3745-560-04(A)	Shall maintain a Log of Operations	The Log of Operation was available for inspection
OAC Rule 3745-560-415(B)(2)	Complete Log of Operation at a minimum once per week at an active compost facility and once per month at an inactive compost facility.	Form 2 and Form 4d were being completed each day of operation, which is Monday, Friday and Saturday. Form 3 was available but no activity has occurred to record since the last inspection.
OAC Rule 3745-27-05(C)	Street sweepings must be disposed of at a licensed solid waste facility	Street sweeping are being taken to the Miami County Transfer Facility
ORC Section 3734.03	Street sweepings must be disposed of at a licensed solid waste facility	Street sweeping are being taken to the Miami County Transfer Facility

1. The last day for the Facility to operate for the season is November 30, 2012. Please be advised that the Facility must complete the Log of Operation at a minimum once per week at an active compost facility and once per month at an inactive compost facility.
2. I was advised that Star Excavating does not have a contract to operate the Facility after November 30, 2012. Please ensure that the city of Troy continues to manage the Facility and complete all paperwork, in accordance with Ohio's solid waste laws and regulations.
3. Please be advised that the Facility's annual report and a plan drawing are due February 1, 2013.
4. If at any time the Facility is not to be operated as a compost facility, please begin closure in accordance with OAC Rule 3745-560-435 and notify me.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please contact me by telephone at (937) 285-6094 or by email at jill.olberding@epa.ohio.gov.

Sincerely,



Jill Olberding
Environmental Specialist
Division of Materials & Waste Management

JO/tb