



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

August 26, 2013

Ms. Teresa Slovick
CR Dayton VI LLC
837 Nerge Road
Roselle, IL 60172

CERTIFIED LETTER

RE: CR Dayton VI LLC - Notice of Violation, Clark County

Dear Ms. Slovick:

CR Dayton VI owns and operates a lift station located at 1030 Upper Valley Pike, Springfield, Ohio. On July 31, 2013, I observed your lift station overflowing. On August 9, 2013, I received notice from the City of Springfield (Jerry Ussher) that your lift station was overflowing and that they provided notice to your office. On August 9, 2013, I called you and you reported that the lift station was not overflowing and the pumps were cycling correctly. On August 13, 2013, I conducted a follow-through inspection. The lift station continued to overflow.

This discharge is in violation of Ohio Revised Code 6111.04, *Water pollution and sludge management violations prohibited*. This law prohibits any person from placing or causing to be placed any sewage, industrial waste or other waste where they cause pollution to waters of the state except where the Director has issued a valid and unexpired permit. This discharge must permanently cease.

Violations of ORC, referred to above, carry maximum civil penalties of up to \$10,000 per day per violation, as well as, maximum criminal penalties of up to one year in jail and/or \$25,000 fine per day per violation

I did talk to Roger Hoover of Non-Crisis Management Inc., who services your lift station. He informed me that the lift station is checked on a monthly basis. Mr. Hoover informed me that one pump was replaced last year and that the other pump is in need of replacement. Since your lift station alarm light is not readily visible, a monthly inspection is not sufficient. You are required to take the following actions:

1. CR Dayton VI must lock the lift station to prevent unauthorized access to the lift station.
2. CR Dayton VI must equip the lift station with telemetry. Telemetry will notify your point of contact via email, text messages and/or computer 24

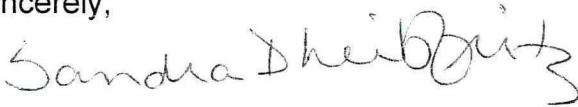
Ms. Teresa Slovic
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hours, 7 days a week for primary power failure, motor failures, high water alarm and pump run times.

3. Each pump must be capable of handling the entire flow from the shopping center. Please be advised that the use of the shopping center has changed over the years where the lift station might not be designed for the current occupants. For example, the internet café would generate a lot more sewage for a longer period of time and the nail salon would generate more sewage because of the washing machine than a conventional retail store. CR Dayton must have the lift station evaluated by a licensed engineer in the state of Ohio to ensure that it meets current design standards. If the engineer determines that the lift station needs to be upgraded or modified (e.g., larger pumps etc.), then CR Dayton shall submit a Permit-to-Install application and detail plans pursuant to Ohio Revised Code 6111.44/6111.45.

No later than September 30, 2013, provide a written response to this notification that the three items listed above have been completed. If you have any questions, please call me at (937) 285-6104.

Sincerely,



Sandra D. Leibfritz
Compliance and Enforcement
Division of Surface Water

SL/kb

ec: Rick Miller, Clark County Combined Health District
Jerry Ussher, City of Springfield

7010 1060 0002 4250 4538

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<i>Sent To</i>	
Street, Apt. No., or PO Box No.	MS. TERESA SLOVICK CR DAYTON VI, LLC 837 NERGE ROAD
City, State, ZIP+4	ROSELLE, IL 60172

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>T. Slovic</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>T. SLOVICK</i> C. Date of Delivery <i>8-28-13</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>MS. TERESA SLOVICK CR DAYTON VI, LLC 837 NERGE ROAD ROSELLE, IL 60172</p> </div>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center; font-size: 1.2em;">7010 1060 0002 4250 4538</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>