



**Environmental
Protection Agency**

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

August 15, 2012

RE: PORTAGE COUNTY
CITY OF KENT
INDUSTRIAL STORM WATER
DAVEY KENT INC
PERMIT NO: 3GR01220

Mr. Fred Troppe
T. Environmental Consulting, LLC
1 South Main Street
Akron, OH 44308

Dear Mr. Troppe:

This letter is in response to your response letter dated August 6, 2012, (received August 10, 2012) and Mr. J. Thomas Myers' response letter dated July 25, 2012 (received July 27, 2012), which were in response to the Notice of Violation (NOV) letter, dated July 19, 2012.

1. According to the Notice of Intent (NOI) application that was submitted by Davey Kent, Inc. to Ohio EPA, "Nypano Company LLC" is the name of the facility and the applicant name is Davey Kent, Inc. If you would like to change the applicant name or facility name on the NOI form, please send us a request to change the names.
2. As required in Part 2.1.2.1 of the National Pollutant Discharge Elimination System (NPDES) permit, you shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings. The dumpster must be lidded to qualify for No Exposure. An unlidded dumpster is exposed to storm water. The water in this area is being discharged off the property, even though it is not entering the storm drain. This is still a discharge.

Davey Kent, Inc. must keep coverage under the NPDES permit and not qualified for No Exposure.

If you should have any questions concerning this letter, feel free to contact Dan Bogoevski, District Engineer, Division of Surface Water at (330) 963-1145 or by e-mail at dan.bogoevski@epa.state.oh.us.

Sincerely,

Robert Hrusovsky
Assistant to the District Engineer
Division of Surface Water

RH/cs

cc: J. Thomas Myers, Davey Kent, Inc.
Roy Basham, Davey Kent, Inc.