



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

May 29, 2013

Mr. Martin Nizny, Agent
1356 Woodman Drive
Dayton, Ohio 45432

**RE: DAYTON RESOURCES INDUSTRIAL PARK, PERMIT # 1GC02834*AG;
CONSTRUCTION SITE INSPECTION**

Dear Mr. Nizny:

On Thursday, May 16, I inspected a site on Needmore Road at which filling has been going on for the last several years to determine compliance with NPDES construction site storm water discharge permit requirements. Eric Damiam and James Schwieterman, who are doing summer internships with Ohio EPA, accompanied me during this inspection. No one was present at the site at the time of this visit.

Based on our observations, the site is in violation of the following part of its permit:

Part III.G.2 Sediment Control Practices

A drainage swale/ditch has been cut to the north of the fill area, leading towards the east. Rainfall the night before was light, and there was no evidence of eroded sediment in this new drainage. During heavier rains, however, it's possible eroded sediments could be carried from the fill area into this ditch and then, presumably, off the property. In a written response to this letter, please explain how eroded sediments from the fill area will be controlled both now and in the future as fill continues being brought to the site.

With your written response, please include a revised copy of the site's Storm Water Pollution Prevention Plan (SWP3).

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If you have questions regarding the letter you can contact me at (937) 285-6442, or via email at chris.cotton@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cotton". The signature is fluid and cursive, with the first name "Chris" written in a larger, more prominent script than the last name "Cotton".

Chris Cotton
Environmental Specialist II
Division of Surface Water

cc: OEPA/SWDO/DSW Files

CC\bp