



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

June 28, 2013

Mr. Andrew Hudak
Albert M. Highley Co.
2926 Chester Avenue
Cleveland, OH 44114

**RE: Progressive Insurance; NPDES Permit # 1GC04481*AG; Compliance
Inspection Findings and Notice of Violation**

Dear Mr. Hudak:

On Wednesday, June 26, 2013, I inspected the Progressive Insurance site in Dayton, Ohio to determine compliance with the site's NPDES construction site storm water discharge permit. I did not speak with anyone at the site during the inspection.

Based on my observations at the Progressive Insurance site, there are violations of the site's storm water discharge permit;

Part II. A Erosion and Sediment Controls

Failure to design, install and maintain effective erosion controls to minimize the discharge of pollutants.

Specifically, this is referring to the two construction entrances for the south side of the site. The photographs included, with this letter, document the violation. The poorly built construction entrances are allowing a high volume of sediment to be dispersed onto the road. Construction entrances should be designed and installed based on the specifications described in Chapter 7.4 of the Ohio DNR's Rainwater and Land Development Manual. A rainfall event will wash the sediment into an active storm sewer system which is a violation.

Part II. E Prohibited Discharges

Failure to design, install and maintain a designated concrete washout area.

Near the road, concrete trucks have disposed of their concrete waste on barren soil instead of a contained basin. Concrete waste contains several chemical pollutants which are harmful to state waters. Photographs 1 and 2 included, with this letter, document the construction entrance violation. Photograph 3 documents the concrete washout violation. As you can see, the concrete waste has been running off the site onto the road. This waste eventually ends up in the city of Dayton's storm sewer

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system. Concrete washout basins should be designed and installed for concrete trucks to dispose of their wastes so that it dries and can be disposed of.

Explain in your written response to this letter what measures will be taken to modify the construction entrance and concrete washout in order to minimize sediment/pollutants leaving the site. Please provide this response to our office within 14 days of receipt of this letter.

If you have any questions regarding the NPDES permit you can contact me at (937) 204-1002 or via email at james.schwieterman@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "James Schwieterman", with a long horizontal flourish extending to the right.

James Schwieterman
Storm Water Group
Division of Surface Water

JS/kb

Enclosed: Inspection Letter

Ohio EPA DSW Storm Water Section, Construction Site Visit Information Form

Inspector initials: JS Visit date: 6/26/13 Permit # 16C04481-AG

Site Name: Progressive Insurance Building

Site Address: 9090 North Dixie Drive Dayton, OH Albert M. Higley Co.

People Contacted On Site: _____

Phone: _____ E-mail: _____

1. Did you see the following on site?

ITEM	YES	NO	Not Requested	Comments
NOI				
Coverage Letter				
SWP3				- look up permit
Inspection Records				
Contractor & Subs signature document				

2. Acreage Disturbed: 2.99

3. Site Status: Clearing/grubbing Rough Grading Storm sewers in
 Streets in Utilities installed Final Grade Final stabilization

4. Are BMPs needed: _____

5. Are BMPs effective? All Some None No BMPs

Explain: Inlet Protection

6. What post construction controls are shown on the SWP3? Sediment Basin in rear
with effective temporary ^{permeated} riser, inlet & outlet structures - storm sewer leads to basin.

7. Were Photos taken & saved? Yes 8. Was an NOV issued? Yes

Additional notes/comments:

- NO Construction Entrance, concrete wash out
- dirt/other pollutants on the road
- Curbing is preventing runoff from site



