



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

July 8, 2013

Mr. Timothy Theimann
Duke Energy of Ohio, Inc.
P.O. Box 960
Cincinnati, Ohio 45201

**RE: Duke Energy of Ohio Miami Fort, OH0009865; 1IB00001*BD
June 26, 2013 Oil Bypass**

Dear Mr. Theimann:

This office has received the non-compliance notification for the above referenced facility. Our review indicates a violation of the conditions of your NPDES permit. The specific instance of non-compliance is as follows:

On June 27, 2013, Pat Coyle called to notify the Division of Surface Water regarding the release of a small amount of #2 fuel oil to the Ohio River. The release was from storm water outfall 1IB00001021. On June 26, 2013, the residue of leaked fuel oil reached the Ohio River from the storm water being discharged from a catch basin for manhole 104. The pump in manhole 104 was not able to keep up with the storm water inflow so it overflowed through storm water outfall 1IB00001021. This caused a small sheen on the river. The sheen was contained with a boom, and was recovered used adsorbent pads. Miami Fort staff is investigating the source of the oil leak, and is considering modification to manhole 104 to improve oil retention as a precaution against future leaks. The proper notifications were made.

The release of the fuel oil into the Ohio River is a violation of Ohio Administrative Code 3745-1-04(B) which states:

To every extent practical and possible as determined by the director, these waters shall be: Free from floating debris, oil, scum and other floating materials entering the waters as a result of human activity in amounts sufficient to be unsightly or cause degradation.

Please be advised that failure to comply with the effluent limitations, or to satisfy monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111. The facility appears to have returned to compliance.

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If you would have any questions regarding the above, please contact me at (937) 285-6108.

Sincerely,

A handwritten signature in black ink, appearing to read "Marianne Piekutowski". The signature is fluid and cursive, starting with a large loop on the left and ending with a horizontal stroke on the right.

Marianne Piekutowski
Environmental Specialist II
Division of Surface Water

MP/kb

cc: Pat Coyle, Duke Energy of Ohio
Mike Byrd, Duke Energy of Ohio Miami Fort