

Michael Spicer
Moody's of Dayton, Inc.
4359 Infirmary Road
Miamisburg, OH 45342

January 4, 2019

Notice of Warning

Dear Mr. Spicer,

This letter services as a Notice of Warning for the discharging of sediment to the municipal separate storm sewer system (MS4).

On December 18, 2018, the City of Dayton Department of Water received a complaint regarding sediment-laden water running in to the alley and down Frank Street and into the storm drain at the northwest corner of Frank Street and Brown Street. During our response to the complaint, we observed a drilling operation with a large amount of sediment-laden water running into the storm drain. **Please make sure that you are properly containing all sediment on site and not allowing it to runoff**, as these contents will enter the storm drain and eventually the river. Ongoing maintenance of sediment and erosion control practices are essential to ensure that no sediment leaves the drilling site.



Catch basins are designed to carry rainwater off streets and parking lots through the MS4, which connects directly to the rivers without receiving any treatment. Any materials that enter a catch basin will go to the river as an illegal discharge. The City of Dayton is required by the Environmental Protection Agency through a National Pollution Discharge Elimination System (NPDES) permit to reduce the pollution entering our rivers through the MS4.



The discharge of any material other than storm water into the storm sewer system is prohibited by the City of Dayton's Revised Code of General Ordinances, Section 54.09 Prohibitions, and by State of Ohio regulations. Illegal discharges, such as sediment-laden water, constitute a violation of the City Ordinance and may result in fines up to \$1,000 per day per violation.

A written response to this letter is requested within 30 days and can be sent via mail or email. The response should detail sediment and erosion controls put in place after our visit to your site and the steps that you have put in place to prevent similar releases from happening in the future, including ongoing operation and maintenance of sediment and erosion control practices. It is also expected that the sediment that has been deposited in the alley and street is swept up. Please share the included pamphlets with

your staff and/or contractors. We thank you for your cooperation. If you have any questions or suspect an illegal discharge to the storm drains, contact the Division of Environmental Management at (937)333-3725.

Respectfully,

Theresa McGeady
Environmental Scientist
Division of Environmental Management
City of Dayton, Department of Water
Theresa.Mcgeady@daytonohio.gov

Cc: F. Graham, City of Dayton Water

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Street, Apt. No.,
or PO Box No. 4359 Infirmery Road
City, State, ZIP+4 Miami'sburg, OH 45342

PS Form 3800, August 2006 See Reverse for Instructions



Roger Hardin
3301 Philadelphia Dr
Dayton, OH 45405

April 18, 2019

Notice of Warning

Dear Mr. Hardin,

This letter serves as a Notice of Warning for the unapproved discharge line that originated from 3301 Philadelphia Drive. This discharge line was directly draining into public infrastructure, and is unauthorized without a permit.

On April 15, 2019, the Department of Water received a complaint regarding a hose going directly into the sewer. We spoke with a resident regarding the hose, and he immediately removed it from the sewer manhole cover. I also spoke on the phone with Roger Hardin, who was helpful and assured it would not happen again.

The discharge of any material other than clean rainwater into the City of Dayton MS4 is strictly prohibited by the City of Dayton Revised Code of General Ordinances (RCGO), Sec. 54.09 Prohibitions, and by the State of Ohio National Pollution Discharge Elimination System (NPDES) regulations, and may result in fines of up to \$1,000.00 per day per violation.

A written response to this letter is requested within 30 days and can be sent via mail or email. The response should include the plan that you have put in place to prevent further unapproved discharges to public infrastructure and your method of sharing this information with the tenants of your building.

We thank you for your cooperation. If you have any questions or suspect an illegal discharge to the public infrastructure near your building, contact the Division of Environmental Management at (937)333-3725. If you have any questions or require additional information, feel free to contact me at 937-333-3713 or at paul.fleischman@daytonohio.gov



Sincerely,

Paul Fleischman
Environmental Scientist

C: V & K Real Estate LLC

May 17, 2019

Grexen Cleaning Services
7747 Reinhold Drive
Cincinnati, OH 45237

E-MAIL

Warning Letter

Dear Grexen Cleaning Services:

The City of Dayton, Division of Environmental Management (DEM) received a complaint that an employee of Grexen Cleaning Services discharged wastewater from the cleaning of vent hoods at The Brunch Club, located at 601 S Main Street into a storm drain within the City of Dayton. This catch basin, and others in the area, discharge into the Great Miami River at outfall # GML-27. During our response to the complaint, we observed grease stains and other residues on the sidewalks, parking lot, and catch basins.



The catch basins in streets and parking lots are designed to carry rain water through the storm sewer system to the rivers without receiving any treatment, and any chemicals, dirt, or other materials released into the storm system will go to the river untreated. The discharge of any material other than storm water into the City of Dayton Municipal Separate Storm Sewer System (MS4) is strictly prohibited by the City of Dayton Revised Code of General Ordinances, **Sec. 54.09 Prohibitions**, and by the State of Ohio regulations. Illegal discharges, such as waste water from cleaning operations constitute a violation of the City Ordinance, and can result in fines of up to \$1,000 per day per violation.

DEM requests that Grexen Cleaning Services stop using the catch basins for the disposal of cleaning wastewater or any other chemicals/materials. Following these steps will assist you in becoming compliant:

1. Identify a location within the facility where the waste water from the cleaning process can be disposed of properly,
2. **Submit a wastewater disposal plan, in writing, within thirty (30) days of receipt of this letter.**

The City of Dayton appreciates your immediate cooperation in ceasing any further discharge to the MS4 and addressing the issue of proper disposal of your wastewater. If you have any questions, please contact me at (937) 333-3757.

Respectfully,

Darius Hixon
Environmental Scientist
Division of Environmental Management
City of Dayton, Department of Water

cc: J. Vari, The Brunch Club
K. Riekstins, Grexen Cleaning Services
F. Graham, City of Dayton Department of Water
K. Norris, City of Dayton Department of Water



May 17, 2019

The Brunch Club
601 S Main Street
Dayton, OH 45402

Certified Mail

Informational Letter

Dear Mr. Vari :

The City of Dayton, Division of Environmental Management (DEM) received a complaint that an employee of Grexen Cleaning Services discharged wastewater from the cleaning of vent hoods at The Brunch Club, located at 601 S Main Street into a storm drain within the City of Dayton. This catch basin, and others in the area, discharge into the Great Miami River at outfall # GML-27. During our response to the complaint, we observed grease stains and other residues on the sidewalks, parking lot, and catch basins.



The catch basins in streets and parking lots are designed to carry rain water through the storm sewer system to the rivers without receiving any treatment, and any chemicals, dirt, or other materials released into the storm system will go to the river untreated. The discharge of any material other than storm water into the City of Dayton Municipal Separate Storm Sewer System (MS4) is strictly prohibited by the City of Dayton Revised Code of General Ordinances, **Sec. 54.09 Prohibitions**, and by the State of Ohio regulations. Illegal discharges, such as wastewater from cleaning operations constitute a violation of the City Ordinance, and can result in fines of up to \$1,000 per day per violation.

DEM requested that Grexen Cleaning Services stop using the catch basins for the disposal of cleaning wastewater or any other chemicals/materials. **Please note that restaurants that hire outside companies to do their pressure washing are still responsible for ensuring proper disposal of cleaning water.** The City of Dayton appreciates your immediate cooperation in ceasing any further discharge to the MS4 and addressing the issue of proper disposal of your wastewater. If you have any questions, please contact me at (937) 333-3757.

Respectfully,

Darius Hixon
Environmental Scientist
Division of Environmental Management
City of Dayton, Department of Water

cc: K. Riekstins, Grexen Cleaning Services; F. Graham, City of Dayton Department of Water; K. Norris, City of Dayton Department of Water



July 15, 2019

MB Real Estate
600 N. Hurstbourne Parkway
Suite 300
Louisville, KY 40222

Certified Mail

NOTICE OF VIOLATION

Dear MB Real Estate,

On July 2nd, the City of Dayton's Division of Environmental Management (DEM) discovered what appeared to be sewage in the storm sewer manhole that is adjacent to the property at 1222 S. Patterson Blvd. This manhole drains to outfall #GML-25 which discharges to the Great Miami River. On July 12th, the City of Dayton's CCTV crew put a camera in the storm sewer and tracked up through the pipe to determine the source of the discharge. It was determined that a pipe from the building was illegally discharging to the storm sewer system.



Storm Sewer Manhole located adjacent to the Wright Health Building

On July 12th, City of Dayton staff performed dye tests in each of the restrooms in the building. After adding dye to the toilet in a 4th floor restroom, the outside camera crew observed dye discharging to the storm sewer system. The Building Engineer, Allen Stockdale immediately closed off that particular restroom.



Inside the storm sewer manhole located adjacent to the Wright Health Building, showing signs of sewage

The discharge of any material other than storm water into the City of Dayton Municipal Separate Storm Sewer System (MS4) is strictly prohibited by the City of Dayton Revised Code of General Ordinances, **Sec. 54.09 Prohibitions**, and by the

State of Ohio regulations. Illegal discharges constitute a violation of the City Ordinance, and can result in fines of up to \$1,000 per day per violation.

The City of Dayton has separate storm sewers from sanitary sewers, meaning that the storm sewer system drains directly to rivers and streams without any treatment.

MB Real Estate is required to respond to this letter within 30 days with a plan of action to rectify this illegal connection. The City of Dayton Department of Water appreciates your immediate cooperation in ceasing any further discharge to the MS4 and addressing the issue of proper disposal of your waste water. If you have any questions, please contact me at (937)333-3782.

Respectfully,

Theresa McGeady
Environmental Scientist
Division of Environmental Management
City of Dayton, Department of Water
Theresa.mcgeady@daytonohio.gov