PUBLIC NOTICE
COVENANT NOT TO SUE/FINAL FINDINGS AND ORDERS
East Aqua Development, LLC, for University of Dayton Research, Education and Development Initiative ("UD-REDI") Property

Notice is hereby given that on October 3, 2013, the Director of the Ohio Environmental Protection Agency ("Ohio EPA"), pursuant to Ohio Revised Code ("ORC") Chapter 3746 and Ohio Administrative Code ("OAC") Chapter 3745-300, issued a Covenant Not To Sue/Final Findings and Orders to East Aqua Development, LLC, an affiliate of the University of Dayton, the "Volunteer", for property known as University of Dayton Research, Education and Development Initiative ("UD-REDI") (the "Property").

The Volunteer conducted a voluntary action of the approximately 26.45-acre Property, which is located at 1529 Brown Street, in Dayton, Montgomery County, Ohio. A no further action letter for the Property was submitted on January 2, 2013 to the Voluntary Action Program of the Ohio EPA Division of Environmental Response and Revitalization by David B. Mustafaga, a Certified Professional as defined in ORC 3746.01(F) and OAC 3745-300-01(A).

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (the "Commission") pursuant to ORC 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the action. The appeal must be accompanied by a filing fee of $70.00, made payable to "Treasurer, State of Ohio", which the Commission, in its discretion, may reduce if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Commission at the following address: 77 South High Street, 17th Floor, Columbus, Ohio 43215.

If you would like to review a copy of the Covenant Not To Sue/Final Findings and Orders, please contact the Records Management Officer, Ohio EPA, Division of Environmental Response and Revitalization, P.O. Box 1049, Columbus, OH 43216-1049, or by telephone at (614) 644-2924.