



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

December 24, 2009

**Re:** Harrison County  
Hopedale Mining LLC  
Notice of Violation  
Permit OIL00092\*HD  
Correspondence (IWW)

Hopedale Mining LLC  
44961 Old Hopedale Road  
Cadiz, Ohio 43907

Dear Environmental Manager:

A review of your NPDES discharge permit conditions has revealed a violation of a condition contained in Part II, Item N, of the permit.

Part II, Item N, of the permit requires you to study an unnamed tributary of North Fork Short Creek which crosses under Upper Clear Fork Road (County Highway 13), which is polluting waters of the State. It requires you to submit a General Plan within 9 months of the effective date of the permit (i.e., by June 1, 2008), or alternatively to submit a report stating that the source is not on property owned by Hopedale Mining LLC. Our records indicate that you have not submitted either item.

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

Please inform this office, in writing, within ten days of receipt of this notification, as to the reason for the above referenced violation, as well as a description of the actions taken or proposed to comply with the condition. Your response should include the dates, either actual or proposed, for completion of the actions.

If there are any questions, please contact me at (740) 380-5218.

Sincerely,

Dan Messerly  
District Representative  
Permits and Enforcement Section  
Division of Surface Water

DM/dh