

**Environmental  
Protection Agency**

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

February 24, 2011

**Re:** Scioto County  
Coleman/Journey Borrow Site  
Canter Borrow Site  
Storm Water Construction Activity  
Notice of Violation  
0GC01328\*AG/0GC01327\*AG

J.P. Picklesimer  
32 State Route 239  
West Portsmouth, Ohio 45663

On December 20, 2010, I received your response to my November 4, 2010 letter. I wanted to comment on your responses.

**Response #1:**

Your response does not satisfy permit requirements. When excavators bid work, they should bid the work to reflect expenditures needed to complete the job and remain in compliance with permit requirements until the project is complete. In these two scenarios, the work itself robbed the site of the minimal amount of topsoil that was present. The site was not graded nor stabilized properly before equipment was removed. Although some work has been completed in an attempt to remedy the situation, you have not gained compliance with the permit. Ohio EPA's storm water requirements are more stringent than ODNR's. Please keep this in mind while you navigate the requirements of both programs.

**Response #2 and #3:**

Although some work has been completed in an attempt to remedy the situation, you have not gained full compliance with the permit.

**Response #4:**

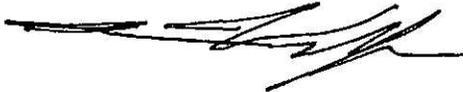
Last year, ponds filled with sediment after a few rain events. Please keep better track of pond sediment levels and remove the sediment as the permit requires.

**Response #5:**

Your condition and operation determinations on your inspection reports do not reflect poor site conditions accurately.

If you have any questions, please contact me at (740) 380-5277.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Wolfe', with a horizontal line underneath.

Aaron Wolfe  
Storm Water Coordinator  
Division of Surface Water

AW/dh

Enclosure