



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

March 14, 2008

CERTIFIED MAIL

Mr. Edward Stoll
Stoll Farms, Inc.
6818 Coal Bank Road
Marshallville, Ohio 44645

Re: Notice of Violation and Call for Immediate Action

Dear Mr. Stoll:

This letter is a follow up to the visit that Rick Wilson, Ohio EPA Division of Surface Water made to your farm yesterday, March 13, 2008. At the time of Mr. Wilson's visit, there were multiple violations of the CAFO NPDES permit and the ODA permit to operate occurring. The most urgent violations that need to be addressed are the freeboard violations, the discharge that was occurring from at least one lagoon, and the inappropriate application of manure on frozen/snow-covered ground.

A more detailed letter will soon follow that outlines the exact permit and rule violations. However, given the state of your facility during Mr. Wilson's visit yesterday, you need to immediately take the following actions:

- Make every attempt to eliminate the discharges from your lagoons. This includes contacting nearby facilities (farms or wastewater treatment plants) to see if they have the ability to accept some of your manure, and/or piling additional soil or other appropriate materials around the lagoon to contain the manure.
- Stop land applying manure on ground that is saturated, or still frozen/snow covered unless you obtain written approval from ODA and completely follow the frozen/snow-covered ground requirements in your NPDES permit and ODA operating permit. This includes (but is not limited to) following all the setbacks, distributing manure evenly across the field to avoid ponding, and notifying Ohio EPA of any runoff from the field, and sampling those runoff events.
- Provide Ohio EPA and ODA with updates on the progress of your actions every day until the discharges are eliminated and the land application of manure is in compliance with the permits. These updates can be via email or FAX. The

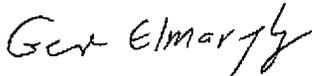
Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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contact information for ODA is lepp@agri.state.oh.us or FAX 614-728-6335 and the contact information for Ohio EPA is cathy.alexander@epa.state.oh.us or FAX 614-644-2745.

This is not a complete list of violations or problems. You will need to re-establish freeboard, and take additional actions to fully return to compliance. However, these are the most immediate/urgent issues that must be addressed. We have discussed this with Kevin Elder and his staff at ODA, and they concur that these are the most immediate needs. You will likely receive additional follow up from them on violations of their permits and/or rules. If you have any questions please contact Cathy Alexander at 614-644-2021 or Rick Wilson at 614-581-0533.

Sincerely,



George Elmaraghy, Chief
Division of Surface Water
Ohio EPA

Cc: Kevin Elder, Executive Director, LEPP, ODA
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