



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

Re: **NOTICE OF VIOLATION**
Hardin County
Shelly Materials – Hardin Quarry
Ohio EPA Permit No.2IJ00046
NPDES Permit No. OH0003671

May 21, 2010

Ms. Beth Mowery
Vice President – Environmental
Shelly Materials, Inc.
P. O. Box 266
Thornville, Ohio 43076

Dear Ms. Mowery:

We are in receipt of your discharge monitoring report (DMRs) covering the month of March 2010 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are as follows:

On March 24, 2010, we conducted an inspection of the Hardin Quarry. Mr. Bill Rowe was present. During our visit, water was being pumped from the quarry and being discharged through Outfall #002. **The March 2010 discharge monitoring report for the Hardin Quarry indicates that there was no discharge from Outfall #002 during the entire month.** The discharge flow rate, pH and total suspended solids content of the water were not reported.

The monitoring, sampling and reporting requirements outlined in your NPDES permit for the Hardin Quarry were not followed. Failure to follow the requirements of your NPDES permit is a violation of Ohio Revised Code Section 6111.07.

Please inform this office in writing, within seven (7) days, as to the reasons for the referenced violations, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements, including adequate laboratory controls, appropriate quality assurance procedures, and records retention, as specified in your Part III-General conditions of your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

Ms. Beth Mowery
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If you have any questions, please call me at (419)373-3008.

Sincerely,

Handwritten signature of Thomas Poffenbarger in cursive script.

Thomas Poffenbarger, P.E.
District Engineer
Division of Surface Water

/llr

pc: Mr. Bill Rowe, Shelly Materials - Forest Quarry
DSW-NWDO_File