

**Environmental  
Protection Agency**

John Kasich, Governor  
Les Fisher, Lt. Governor  
Christopher Jones, Director

July 12, 2010

RE: TRUMBULL COUNTY  
MAHONING RIVER BASIN  
LIBERTY TOWNSHIP  
LOGAN GATE DEVELOPMENT

**NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Tri County Sports  
4200 Logan Gate Road  
Youngstown, Ohio 44505

Mr. Mohammad Fard  
4603 Michigan Avenue  
Youngstown, Ohio 44505

Dear Mr. Fard:

Ohio EPA records do not indicate that the Logan Gate site is covered under a General National Pollutant Discharge Elimination System Permit for Storm Water Associated with Construction Activity permit (General Storm Water Permit). Via NOV's dated July 20, 2009, December 31, 2009, February 8, 2010, March 30, 2010, and June 10, 2010 Ohio EPA notified you that the site was required to submit a Notice of Intent (NOI) application form and the appropriate fee to obtain General Storm Water Permit coverage. As of the date of this NOV, Ohio EPA has not received the NOI application and appropriate fee. **Failure to submit the NOI at least twenty-one (21) days prior to the commencement of construction activities is a violation of ORC Chapter 6111 and Part II.A of the General Storm Water Permit.** The NOI application can be obtained at the following Internet address:

<http://www.epa.state.oh.us/dsw/storm/stormform.html>

**The NOI application form must be completed and submitted to Ohio EPA, in accordance with the NOI instructions, with the appropriate fee within ten (10) days of receiving this Notice of Violation (NOV).**

On June 24, 2010, Ohio EPA inspected the site. I was accompanied by Jacob Gore, Trumbull County Soil and Water Conservation District (Trumbull SWCD) and Steven Kramer, Trumbull County General Health District. Matters related to solid waste storage and disposal will be addressed under separate cover via the Trumbull County Health Department. The site inspection documented the following violations of ORC Chapter 6111 and the General Storm Water Permit:

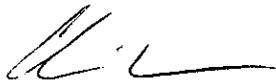
Tri County Sports  
Mr. Mohammad Fard  
Logan Gate Development  
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- Failure to have appropriate erosion and sediment best management practices (BMP) installed to prevent discharges of sediment to Crab Creek, unnamed tributaries of Crab Creek, and onsite wetlands (Figures 1 to 8); and
- Failure to have appropriate BMPs installed to prevent discharges of pollutants from the C&DD that has been placed as a parking area. The discharge of pollutants is occurring to the Logan Gate roadside ditch, which discharges directly to Crab Creek.

Via NOVs dated July 20, 2009, December 31, 2009, February 8, 2010, March 30, 2010, and June 10, 2010 Ohio EPA notified you of the above violations. As of the date of this NOV, no corrective actions have been initiated to prevent the discharge of pollutants to "waters of the State." **Failure to address the above violations will result in enforcement being pursued, whereby violations of ORC Chapter 6111 are punishable by fines up to \$10,000 a day per violation.**

Should you have any questions regarding this matter, please contact me at your earliest convenience.

Sincerely,



Chris Moody  
Environmental Specialist II  
Division of Surface Water

CM/mt

cc: Trumbull County Health Department  
Trumbull County Planning Commission  
Liberty Township Zoning

ec: Ed Wilk, Ohio EPA, DSW, NEDO  
Rachel DeMuth, Ohio EPA, DSW, CO  
Jacob Gore, Trumbull SWCD



**Figure 1** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



**Figure 2** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



**Figure 3** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



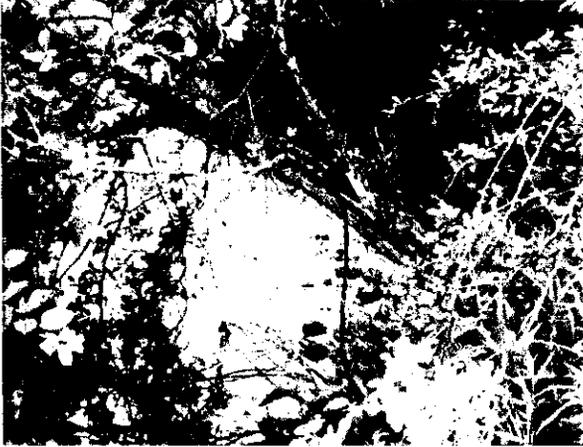
**Figure 4** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



**Figure 5** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



**Figure 6** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



**Figure 7** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."



**Figure 8** - Failure to have appropriate BMPs installed to prevent discharges to "surface waters of the State."

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Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Kerleski, Director

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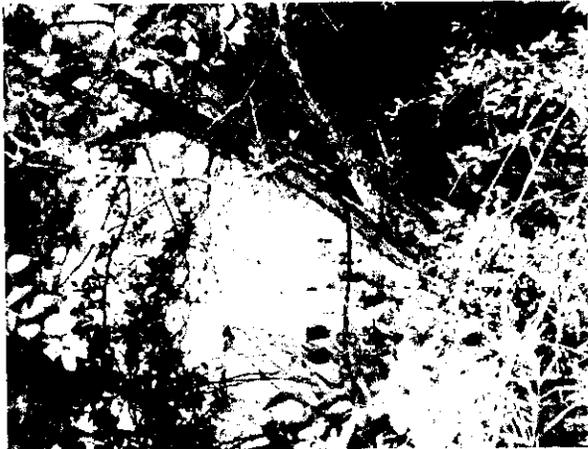
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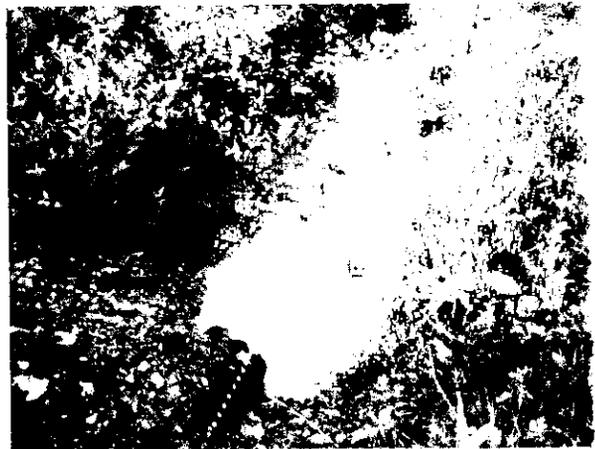
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