



Environmental
Protection Agency

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

July 25, 2012

CERTIFIED MAIL

Mr. Doug Evans
Evans Landscaping, Inc.
4229 Round Bottom Road
Cincinnati, Ohio 45244

**RE: Evans Landscaping, Inc., Hamilton County
NPDES Permit 1IN00298*AD / OH0141003
Notice of Violation**

Dear Mr. Evans:

Storm water discharges from your facility located at the above address are currently regulated under a National Pollutant Discharge Elimination System (NPDES) permit, which became effective July 1, 2011. This permit requires you to monitor the operation of the storm water treatment and control facilities and the quantity and quality of the treated storm water discharges. The permit requires you to submit the monitoring data to Ohio EPA every month on Ohio EPA 4500 Discharge Monitoring Report (DMR), using the electronic DMR (e-DMR) internet application (refer to Part III, No. 4 of the permit). Ohio EPA has not received any monthly e-DMRs from you since the effective date of the permit.

In addition, the Industrial Storm Water Construction Schedule in the permit (Part I, C.), requires you to achieve compliance with the final effluent limitations for the storm water discharge outfalls within 36 months of the effective date of the permit. The first milestone in this schedule was to submit a Permit to Install (PTI) application and detailed plans for construction of improvements to the storm water containment and treatment systems within 6 months of the effective date, or by February 1, 2012. To date, Ohio EPA has not received this PTI application.

Please be advised that failure to satisfy the monitoring or reporting requirements of your NPDES Permit, specifically failure to submit DMRs, constitutes a serious violation and places the facility in significant noncompliance. If not corrected by the facility quickly, this may lead to formal enforcement action pursuant to the Ohio Revised Code Chapter 6111. You are required to respond to this Notice of Violation letter in writing by August 3, 2012, detailing the actions you intend to take to meet the reporting requirements of the permit. Also provide a status report on the submittal of a PTI application for improvements to the treatment systems.

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If you have any questions, don't hesitate to contact me at (937) 285-6102 or email at mike.zimmerman@epa.state.oh.us.

Sincerely,

A handwritten signature in black ink that reads "Michael W. Zimmerman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael W. Zimmerman
Environmental Specialist
Division of Surface Water

cc: Anthony Muto, Evans Landscaping, Inc.
Martyn Burt, Environmental Supervisor, Ohio EPA, SWDO

MWZ\bp

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**MR DOUG EVANS
EVANS LANDSCAPING INC
4229 ROUND BOTTOM RD
CINCINNATI OH 45244**

Sent To
Street, Apt.
or PO Box #
City, State,

PS Form 3800, June 2002

See Reverse for Instructions

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1. Article Addressed to:

**MR DOUG EVANS
EVANS LANDSCAPING INC
4229 ROUND BOTTOM RD
CINCINNATI OH 45244**

2. Article Number
(Transfer from service label)

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Jonathan Sch
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