



State of Ohio Environmental Protection Agency

Southeast District Office

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

2195 Front Street
Logan, Ohio 43138

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

August 19, 2010

Re: Athens County
Hickory Creek Cont. Care Comm.
Storm Water Construction Activity
Notice of Violation
0GC00984*AG

Mr. Bill Bias
Elixir Development Corp.
10575 Summer Lane
Mount Vernon, Ohio 43050

Dear Mr. Bias:

On July 15, 2010, Aaron Wolfe, Chris Stephan, and I visited your site on Circle Drive west of Columbus Road in Athens, Ohio. The purpose of the inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following areas need to be addressed:

Permit Coverage

1. In accordance with the permit (Part II. D.), the permittee shall make the NOI and SWP3 available upon the request of the director of Ohio EPA or authorized representative; local agencies approving sediment and erosion control plans, grading plans, or storm water management plans; local government officials; or operators of municipal separate storm water systems. Part III.C.2.a. requires the NOI application, letter of approval, and SWP3 to be available at the construction site upon the request of the director of Ohio EPA or his authorized representative.

On the day of our inspection, you did not have a copy of your SWP3 available for us to view on your construction site. Please make a copy available upon request on-site at all times in the future.

Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned *Rainwater and Land Development* manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Within fourteen (14) days of receipt of this letter, please submit to me at this office a written notification as to actions taken or proposed to eliminate violations of the permit. Your response should include the dates, either actual or proposed, for the completion of the actions. If you have any questions, please contact Aaron Wolfe at (740) 380-5277 or me at (740) 380-5430.

Sincerely,



L.J. Parkins
Storm Water Section
Division of Surface Water

LJP/dh