



**Environmental
Protection Agency**

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

August 9, 2011

Re: Harrison County
Harrison Ethanol LLC
Storm Water Construction Activity
Notice of Violation
0GC00582*AG

Mr. Wendel E. Dreve
Harrison Ethanol LLC
9665 Young America Road
Adamsville, Ohio 43802

Dear Mr. Dreve:

On July 12, 2011, I visited your site for the Harrison Ethanol plant on Dickerson Church Road in Cadiz, 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. Part III.G.2.h of the permit states that all sediment control practices must be maintained and repaired until the entire up slope area of the development has been stabilized. According to Part III.G.2.i. of the permit, controls must be inspected once every seven calendar days and within 24 hours after any storm event greater than one half an inch in 24 hours. Repairs must be accomplished within three days of the inspection, except in the case of sediment ponds, which must be repaired within 10 days. In accordance with Part III.G.2.d.vi., if inspections or other information indicates that a control is not functioning or ineffectual, then the permittee must replace or modify the control.

During the inspection, it was noted that silt fencing along Dickerson Church Road had been compromised and rendered ineffective. Please repair or replace the silt fencing as soon as possible to help control further soil loss.

2. Part III.G.2.g.ii. of the permit requires that off-site vehicle tracking of sediments be minimized. This is accomplished by constructing a proper construction entrance. The *Rainwater and Land Development* manual defines a construction entrance as a pad of aggregate 6 inches deep, 10 feet wide and 50 feet in length (30 feet for single residence lots).

Your construction entrances, in their current state, are causing tracking of sediment off-site and onto roadways. The construction entrances are rilled-out and are highly eroded. Gravel needs to be brought in to remedy these conditions. Refer to the Rainwater and Land Development Manual and the NPDES Permit for further details on proper construction entrance maintenance.

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.

Violators of ORC 6111 may be fined up to \$10,000 per day of violation. In addition, federal law allows for third party lawsuits for failure to comply with terms and conditions of NPDES permits.

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 me at (740) 380-5430, or Aaron Wolfe at (740) 380-5277

Sincerely,



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

LJP/dh