



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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www.epa.state.oh.us

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

July 23, 2009

**Re: Jefferson County  
Steubenville Walgreens  
Storm Water Construction Activity  
Notice of Violation  
0GC01282\*AG**

Mr. Dominic Teramana  
Brady Circle West Development LLC  
200 Stanton Boulevard  
Suite 200  
Steubenville, Ohio 43952

Dear Mr. Teramana:

On July 15, 2009, I visited your site on Sunset Boulevard in Steubenville. The purpose of the inspection was to determine the compliance status 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:

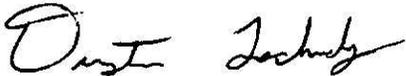
1. Part III.G.2.b.i. (Table 2) of the permit requires that any area that will lie dormant for more than 21 days, but less than a year be stabilized within 7 days of the most recent disturbance. Temporary seeding may be accomplished any time between March 1 and November 1. Any seeding that occurs between November 1 and the spring seed will be considered dormant seeding. **It appears the site has been dormant for more than 21 days; please seed and mulch the site.**
2. In accordance with Part III.G.2.d.i. and Part III.G.2.h. of the permit, all sediment control structures shall be functional throughout the course of earth disturbing activities. Sediment controls should be in place prior to the onset of construction activities and must remain in place until the entire up slope area is stabilized. **At the time of inspection no controls appeared to be in place; please install all storm water controls according to your storm water pollution prevention plan.**

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) 380-5413.

**Please be advised that failure to comply with the terms and conditions of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.**

Sincerely,



Dustin Tschudy  
Storm Water Section  
Division of Surface Water

DT/dh