



Environmental Protection Agency

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

July 21, 2011

Re: Muskingum County
Custom Design Fitness Studios
Storm Water Construction Activity
Notice of Violation
0GC00436*AG

Mr. Phillip Arthur
348 Taylor Street
Zanesville, Ohio 43701

Dear Mr. Arthur:

On June 27, 2011, I performed an inspection of your site on North Pointe Drive in Zanesville. 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:

- 1. Part III.G.2.b. of the permit states:

TABLE 1: PERMANENT STABILIZATION

Area requiring permanent stabilization	Time frame to apply erosion controls
Any areas that will lie dormant for one year or more	Within seven days of the most recent disturbance
Any areas within 50 feet of a surface water of the State and at final grade	Within two days of reaching final grade
Any other areas at final grade	Within seven days of reaching final grade within that area

TABLE 2 – TEMPORARY STABILIZATION

Area requiring temporary stabilization	Time frame to apply erosion controls
Any disturbed areas within 50 feet of a surface water of the State and not at final grade	Within two days of the most recent disturbance if the area will remain idle for more than 21 days
For all construction activities, any disturbed areas that will be dormant for more than 21 days but less than one year, and not within 50 feet of a surface water of the State	Within seven days of the most recent disturbance within the area For residential subdivisions, disturbed areas must be stabilized at least seven days prior to transfer of permit coverage for the individual lot(s).
Disturbed areas that will be idle over winter	Prior to the onset of winter weather

Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed.

Upon inspection of this site, it has become apparent that construction activity is stalled. If this is the case, please be advised that all areas remaining barren must be stabilized until construction activities resume. Refer to the Rainwater and Land Development Manual as well as the table above to gain more insight on stabilizing dormant construction sites.

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 me at (740) 380-5447 or Aaron Wolfe at (740) 380-5277.

Sincerely,



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

LJP/dh