



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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

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

August 25, 2009

Re: Perry County
City Gate Residential
Storm Water Construction Activity
Notice of Violation
Permit Number OGC00339*AG

Chuck Owen
Perry County Industrial Development Co
5115 Tile Plant Road
New Lexington, OH 43764

Dear Mr. Owen:

On July 22, 2009, I visited your site on Commerce Drive. 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 1) of the permit requires that permanent stabilization be applied within 7 days to any area that will lie dormant for more than one year. Permanent stabilization is defined as the establishment of permanent vegetative cover, decorative landscape mulching, matting, sod, rip rap and landscaping techniques to provide permanent erosion control. **Please stabilize the disturbed areas that are depicted in the attached photos immediately**

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) 380-5226.

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,

A handwritten signature in black ink, appearing to read "M. See". The signature is fluid and cursive, with the first letter "M" being particularly large and stylized.

Michael See
Storm Water Section
Division of Surface Water

MS/mlm







