



**Environmental
Protection Agency**

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

September 2, 2011

Re: Tuscarawas County
Country Inn & Suites
Storm Water Construction Activity
Notice of Violation
0GC01456*AG

Mr. Mark Weaver
Troyer Corp.
P.O. Box 68
Walnut Creek, Ohio 44687

Dear Mr. Weaver:

On July 20, 2011, I visited your site on State Route 39. 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 stormwater associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. 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. The following areas need to be addressed:

Permit Coverage:

1. Stabilization

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.

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

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740 | 385 6490 (fax)
www.epa.ohio.gov

Keep in mind the above stabilization requirements for all disturbed areas and soil stockpiles as site work continues.

2. Silt Fence

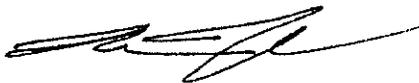
Part III.G.2.d.iii of the permit requires silt fence to be installed on a level contour. Silt fence should be utilized in accordance with the specification of the *Rainwater and Land Development* manual.

Apply silt fence at the rear of the site to prevent sediment from entering Sugar Creek.

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) 380-5418 or Aaron Wolfe at (740) 380-5277.

Sincerely,



Chris Stephan
Storm Water Section
Division of Surface Water

CCS/dh