



**Environmental
Protection Agency**

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

February 23, 2011

Re: Muskingum County
James Brothers Sand
Notice of Violation
NPDES Permit 0IJ00044
Correspondence (IWW)

Mr. Dan James, President
James Brothers Sand and Gravel, Ltd.
P.O. Box 1420
Zanesville, Ohio 43701

Dear Mr. James:

To date, we have not received any self-monitoring reports covering the month of September 2010 for the referenced facility. Please be advised that failure to satisfy the monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

Also, to date, we have yet to receive the renewal application for your NPDES permit which expired on February 28, 2010. Discharging without a valid NPDES permit is a violation of Ohio Revised Code Chapter 6111 and can be grounds for enforcement action.

Please inform this office, in writing, within ten days of receipt of this notification as to the reasons for the above referenced violations, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

Should you have any questions or concerns, feel free to contact me at (740) 380-5227.

Sincerely,

Scott Foster
Environmental Specialist 2
Division of Surface Water

SF/dh