



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

January 9, 2012

RE: GLENGARRY ALLOTMENT
PERMIT NO. 3GC04009*AG
LAKE TWP.
STARK COUNTY

Leroy Yoder
L.J. Yoder Construction
9388 Market Avenue
Hartville, Ohio 44632

Dear Mr. Yoder:

On December 23, 2011, this office received notice from the Stark County Soil & Water Conservation District (SWCD) that the above referenced site is not in compliance with Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #OHR100187. Their inspection report dated December 21, 2011, details a list of items which must be completed to bring the site into compliance. On December 30, 2011, this writer conducted an inspection of this site located west of the intersection of Lake Center Road and Cleveland Avenue, Stark County. The violations of the permit were confirmed and are noted in the following summary (pictures attached):

- 1) The majority of the site has been disturbed without the sedimentation basin being completed and ready to receive site-wide storm water runoff.
- 2) Silt fence was not installed along Cleveland Avenue.
- 3) Uncontrolled storm water runoff is flowing north on to adjacent properties.
- 4) Winter mulch/seeding is needed.

In addition, a copy of the Stormwater Pollution Prevention Plan (SWPPP) was not available on site for review. This is also a violation of your permit.

This letter will serve as notice that L.J. Yoder Construction is in violation of Ohio Revised Code (ORC) 6111.04 for failure to comply with the NPDES permit. The site will remain in violation until the items listed above are corrected. Violations of ORC 6111 are punishable by fines up to \$10,000 per day of violation.

You are requested to respond in writing, to this office, no later than January 16, 2012, with your intentions to resolve the above listed violations. The SWPPP must be submitted to this office no later than January 24, 2012. Failure to adequately address the aforementioned violations and/or the dates listed for submittals may result in an enforcement action to be initiated by this office. We note that Bontrager Excavating is listed as the Co-Permittee for this site and is also responsible for compliance with the NPDES Permit 3GC04009*AG. As such, they are also subject to the same violations and enforcement mentioned in this letter.

GLENGARRY ALLOTMENT
JANUARY 9, 2012
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If you should have any questions, feel free to contact this writer at (330) 963-1136 or by e-mail at phil.rhodes@epa.state.oh.us.

Sincerely,



Philip P. Rhodes, P.E.
Environmental Specialist II
Division of Surface Water

PPR/cs

cc: Julie Berbari, Stark Soil & Water Conservation District
Bontrager Excavating Co
Lake Twp. Trustees

File: Construction Stormwater, Stark County, Glengarry Allotment

Unfinished Sedimentation Pond



Outlet from unfinished Sedimentation Pond



Entire site has been disturbed without proper Storm water controls completed



Uncontrolled runoff to the north onto neighboring properties

