



**Environmental
Protection Agency**

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

April 18, 2012

Re: Scioto County
City of Portsmouth
Notice of Violation
Ohio EPA Permit OPD00013*LD
NPDES Permit OH0027197
Correspondence (PWW)

The Honorable Mayor, David Malone and Council
City of Portsmouth
732 Second Street
P.O. Box 1304
Portsmouth, Ohio 45662

Dear Mayor Malone and Council:

On January 12, 2012, Daniel Kopec of the Ohio EPA Division of Surface Water sent the City of Portsmouth a letter outlining the requirements for the City of Portsmouth to maintain compliance with the (OAC) 3745-7-02(A)(2) paragraph (E) exemption the city received concerning operator certification requirements contained in Part II-A of their NPDES permit. In paragraph 4 of the letter, a request was made that Mr. Duncan make monthly progress reports to the Southeast District Office of the Ohio EPA. The reports were to be submitted on the first of each month for the previous month. To date, we have yet to receive a report for March of 2012. Therefore, the City of Portsmouth is in violation of its NPDES permit and the conditions of the 02(E) exemption granted by the Ohio EPA. The city should make every effort to return to compliance with its NPDES permit and the 02(E) exemption.

If there are any questions, please contact me at (740) 380-5227.

Sincerely,

Scott Foster
Environmental Specialist 2
Division of Surface Water

SF/dh

- c: Jennifer Witte, SEDO, DSW
- c: Richard Duncan, Wastewater Director, City of Portsmouth
- c: Sudhir V. Desai, Water Enforcement & Compliance Assurance Branch, U.S. EPA, Region 5
- c: Barbara R. VanTil, Water Enforcement and Compliance Assurance Branch, U.S. EPA, Region 5
- c: Daniel A. Kopec, DSW, CO