



Environmental
Protection Agency

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

May 10, 2012

Jerry Bennett
Kurtz Brothers Central Ohio LLC
6055 Westerville Road
Westerville, OH 43081

Re: Inspection at Alexandria Facility on April 19, 2012 and follow up to meeting on April 24, 2012

Dear Mr. Bennett:

This letter is written in follow-up to an industrial storm water inspection I conducted of operations located in Alexandria, Ohio on April 19, 2012. In addition, this letter serves as follow up to our meeting of April 24, 2012 regarding compliance trends demonstrated by Kurtz Brothers for various facilities in Central Ohio. Mark Mann with Ohio EPA Enforcement Section, Jeff Bohne with Ohio EPA/CDO and Phil Farnlacher with Ohio EPA/CDO were present during the meeting. The following items were noted:

Alexandria Site Visit April 19, 2012

During the inspection, we had the opportunity to evaluate the storm water management controls associated with the mulch processing and drop-off areas. In addition we evaluated the mining operations associated with this site. The following items must be addressed to ensure compliance with the current storm water regulations:

1. Permanent management must be designed and implemented to ensure there are no discharges of process waste water associated with the gravel washing operations.
2. Additional containment measures are expected for the mining area directly north and west of Raccoon Creek.
3. Containment measures are expected for all mulching and yard waste drop off areas associated with this site.
4. During the meeting you indicated this site was permitted. Following my review of our records, the only permit which exists for this site is a construction storm water permit. This permit only authorizes construction activities. Given the site is operational; the entire site must be authorized under an NPDES Permit
5. I would suggest pursuing an Individual NPDES permit for this site to address mining and mulching operational discharges.

April 24, 2012 Meeting:

I ask you to attend a meeting on April 24, 2012 regarding Ohio EPA's concerns of a non-compliance trend Kurtz Brothers has demonstrated with respect to various sites in central Ohio. The issues for the various sites are addressed below:

Westerville Satellite Facility:

1. Provide positive drainage, specifically the northwest corner of the southern waste drop off area, to the impoundment designed for collection.
2. Provide additional storage capacity for the existing impoundment adjacent to Alum Creek. At a minimum the impoundment should be designed to provide containment in response to a 100 year/24 hour rain event. No discharge is permissible from this impoundment without specific monitoring requirements and possibly an Individual NPDES permit.
3. A more permanent solution is expected to address full containment of the mulching and waste drop area on the northern end of the site. This would include the north facing slopes of the existing piles.
4. Based on current conditions, It appears the northern most mulch storage area can be adequately addressed with the containment berms, provide storage piles are not increased in size.

Groveport Facility:

1. All areas must be routed to the existing storm water impoundment on site. This specifically applies to the northern and southern borders of the site, as it appears there is no positive drainage to the storm water pond.
2. Continue monitoring as addressed in the Storm Water Pollution Prevention Plan in addition to any monitoring required in the Multi Sector General Permit.

Dublin Facility:

1. During the meeting you indicated the entire site is routed to an existing impoundment adjacent to the rail road tracks. You further indicated there is no discharge from this impoundment. I intend on evaluating this impoundment for a potential discharge to determine additional permitting requirements.

Jerry Bennett
Kurtz Brother Central Ohio LLC
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If you have any questions regarding this letter or the inspection, please do not hesitate to call me at our Central District Office at (614) 728-3844. In addition, I am formally requesting a response to this letter with an action plan, including necessary time frames in response all items addressed within this letter within 30 days of receipt.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Kalipolitis". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Harry Kalipolitis
Storm Water Coordinator
Division of Surface Water
Central District Office

c: Mark Mann, DSW/CO, Enforcement Manager.

HK/nsm Kurtz Brothers 4-2-19-2012