



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Defiance County
FWT LLC
Construction
Storm Water

July 12, 2012

Mr. Bob Spyker
Spyker Contracting
1263 Integrity Drive
Defiance, Ohio 43512

Mr. Mike Todd
Todd Excavating
13304 County Road 224
Cecil, Ohio 45821

Dear Messrs. Spyker and Todd:

On June 26, 2012, Jessica Heitman and I inspected FWT, LLC located at 761 West High Street, Hicksville. The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2GC03089. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Mr. Bob Spyker was available to provide information on the project.

As a result of the inspection, I have the following comments:

1. At the time of inspection, grading was completed.
2. The Storm Water Pollution Prevention Plan (SWP3) was available on site.
3. Inspection logs were not kept. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. Inspections must include: disturbed areas, material storage areas, all sediment and erosion control measures, discharge locations, and all vehicle access points. Records must include: inspector name and qualifications, inspection date, observations, a certification that the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. *This is a violation of Part III. G.2.i. of the permit.*
4. A section of silt fence was removed in order to dig out the swale.

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Permit Requires: Structural practices shall be used on all sites remaining disturbed for more than 14 days. They shall be implemented prior to grading and within seven days from the start of grubbing. They must remain functional until the upslope area is restabilized. If the silt fence is not replaced, then this is a violation of Part III.G.2.d. of the permit.

Within 10 days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions.

If there are any questions, please contact me at 419-373-3011.

Sincerely,



Bernard E. Weik
Division of Surface Water
Storm Water Program

/jlm

ec: Jennifer English, Defiance County Urban Storm Water Specialist
Tracking