



**Environmental
Protection Agency**

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

August 17, 2012

RE: TRUMBULL COUNTY
CITY OF GIRARD
TOTAL WASTE LOGISTICS LAS, LLC
NPDES PERMIT NO: OHC000003
OHIO EPA PERMIT NO: 3GC01762*BG
CONSTRUCTION STORM WATER INSPECTION

NOTICE OF VIOLATION

Peter Hornick
Yorkshire Holdings, LLC
177 West 83rd Street #5N
New York, NY 10024

Guy Fragle
Total Waste Logistics LAS, LLC
7131 Akron-Canfield Road
Youngstown, OH 44406

Dear Mr. Hornick and Mr. Fragle:

On July 23, 2012, Ohio EPA performed an inspection of Total Waste Logistics LAS, LLC, located at 1025 Bundy Road, City of Girard, Trumbull County (site). During the inspection, I was accompanied by James Dobson of the Girard City Health Department and Joe Costa of Total Waste Logistics LAS, LLC. Ohio EPA records indicate that the site is covered by General National Pollutant Discharge Elimination System Permit for Storm Water Associated with Construction Activity (General Storm Water Permit), permit No. 3GC01762*BG.

Storm Water Inspection

The inspection documented the following:

- Sediment basin No. 4 is nonfunctional due to a lack of maintenance to restore the treatment capacity by removing the accumulated sediment that has exceeded the volume of sediment storage zone (Figures 1 to 3). Erosion gullies have formed on the embankment of sediment basin No. 4 (Figure 4). Untreated sediment-laden runoff is discharging into "waters of the State." Accumulated sediment was observed within the channel that discharges to the Mahoning River (Figure 5). **The failure to maintain sediment basin No. 4 in a functional manner constitutes violations of Ohio Revised Code (ORC), Chapter 6111.07 and Part III.G.2.d, of the General Storm Water Permit.**
- The site appears to have remained idle for an extended period of time due to the extensive erosion gullies that are present (Figures 6 to 9). Temporarily stabilization has not been performed throughout site to prevent erosion and the discharge of sediment to "waters of the State." **The failure to temporarily stabilize idle areas constitutes violations of ORC 6111.07 and Part III.G.2.b of the General Storm Water Permit.**

- The outlet structure of sediment basin No. 2 has broken off and requires maintenance. **The failure to maintain sediment basin No. 4 in a functional manner constitutes violations of ORC, Chapter 6111.07 and Part III.G.2.d, of the General Storm Water Permit.**
- Sediment basin No. 3 has accumulated sediment. Information must be submitted to confirm whether or not the accumulated sediment has exceeded the sediment storage zone. In the event that the sediment storage zone has been exceeded, the accumulated sediment must be removed.

Corrective Action

A report detailing the corrective actions that been implemented to address the above violations must be submitted to Ohio EPA by August 31, 2012. The report must include the dates when each corrective action item was or will be implemented and completed.

In the event that the above violations do not get resolved, Ohio EPA will pursue formal enforcement, whereby violations of ORC 6111 are punishable by fines up to \$10,000 a day per violation. Should you have any question regarding this matter, please contact me at your earliest convenience at (330) 963-1118 or via e-mail at chris.moody@epa.ohio.gov.

Sincerely,



Chris Moody
Environmental Specialist II
Division of Surface Water

CM/cs

cc: James Dobson, Health Commissioner, Girard City Health Department



Figure 1 - Accumulated sediment that has exceeded the volume of sediment storage zone of sediment basin No. 4



Figure 2 - Accumulated sediment that has exceeded the volume of sediment storage zone of sediment basin No. 4



Figure 3 - Accumulated sediment that has exceeded the volume of sediment storage zone of sediment basin No. 4



Figure 4 - Erosion gullies have formed on the embankment of sediment basin No. 4.



Figure 5 - Accumulated sediment was observed within the channel that discharges to



Figure 6 - Extensive erosion gullies are present throughout the un-stabilized portions of the site.

the Mahoning River.



Figure 7 - Extensive erosion gullies are present throughout the un-stabilized portions of the site.



Figure 8 - Extensive erosion gullies are present throughout the un-stabilized portions of the site.



Figure 9 - Extensive erosion gullies are present throughout the un-stabilized portions of the site.

