



**Environmental
Protection Agency**
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

September 10, 2012

Re: Muskingum
Kelson Enterprises Ltd.
OGS00048*AG
Correspondence (PWW)

Ms. Michelle Ray, Owner
Kelson Enterprises Ltd.
6650 North River Road
Zanesville, Ohio 43701

Dear Ms. Ray:

On August 10, 2012, I conducted a reconnaissance inspection at 2250 Creedmor located in Zanesville, Ohio. The purpose of the inspection was to determine Kelson's compliance with NPDES Permit Number OGS00048*AG and the Ohio Water Pollution Control Act, Revised Code Chapter 6111.

As a result of the inspection and review of our files, I have the following comments:

- 1. The General Permit for your facility has expired and has not been renewed. Discharging without a valid permit is a violation of Ohio Revised Code 6111. If you plan on discharging from this facility in the future, a current permit is required. A NOI form is enclosed.**
- 2. The facility currently does not have an Operator of Record (ORC). This is in violation of Ohio Administrative Code (OAC) 3745-7-02. As per our telephone conversation on August 23, 2012, Kelson is in the process of obtaining a licensed operator for the facility. Submit an ORC form to our Columbus office and copy me as soon as you have a licensed operator.**
- 3. The facility has failed to submit Discharge Monitoring Reports (DMRs) for October and December 2011 as well as January through March and May 2012. Part V - Standard Permit Conditions, Item L(3) - Reporting states "DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest. DMRs submitted on paper must include the original signed DMR form and shall be mailed to Ohio EPA at the following address so that they are received no later than the 15th day of the month following the month-of-interest.**

**Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water - PCU
P.O. Box 1049
Columbus, Ohio 43216-1049**

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

740 | 385 8501
740 | 385 6490 (fax)
www.epa.ohio.gov

Failure to submit these forms in a timely manner may result in an enforcement action.

Please provide a response to this letter within the next 30 days after receipt of the letter.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets and U.S. EPA's Facility Pollution Prevention Guide, (EPA/600/R-92/088), you may contact the Ohio EPA Pollution Prevention Section at (614) 644-3469 or me at 740-380-5227 for additional information.

Sincerely,



Scott Foster
Environmental Specialist 2
Division of Surface Water

SF/dh

Enclosure



State of Ohio Environmental Protection Agency
Southeast District Office

Semi-Public NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES #	Month/Day/Year	Inspection Type	Inspector	Facility Type
OGS00048*AG	OHS000003	August 10, 2012	R	S	1

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Kelscon Enterprises, Ltd 2250 Creedmor Zanesville, Ohio 43701	1:15 pm	August 1, 2009
	Exit Time	Permit Expiration Date
	1:25 pm	December 31, 2009
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
N/A	N/A	
Name(s), Address and Title(s) of Operator of Record	Phone Number(s)	
None registered at this time.	-----	
Name, Address, and Title of Responsible Official	Phone Number	
Michelle Ray Owner 6650 North River Road Zanesville, Ohio 43701	740-450-7223 740-891-0096	

Section D: Summary of Findings (attach additional sheets if necessary)	
See Attached Letter.	
Inspector	Reviewer
	
9/7/12 Date	9/7/12 Date
Scott Foster Division of Surface Water Southeast District Office	Jennifer M. Witte Compliance & Enforcement Supervisor Division of Surface Water Southeast District Office

Notice of Intent (NOI) For Coverage Under Ohio Environmental Protection Agency General Permit

(Read accompanying instructions carefully before completing this form)

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized to discharge into state surface waters under Ohio EPA's NPDES general permit program. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. Complete all required information as indicated by the instructions. Forms transmitted by fax will not be accepted. A check for the proper amount must accompany this form and be made payable to "Treasurer, State of Ohio." (See the fee table in Attachment C of the NOI instructions for the appropriate processing fee)

I. Applicant Information/Mailing Address

Company (Applicant) Name: _____
 Mailing (Applicant) Address: _____
 City: _____ State: _____ Zip Code: _____
 Contact Person: _____ Phone: _____ Fax: _____
 Contact E-Mail Address: _____

II. Facility/Site Location Information

Facility Name: _____
 Facility Address/Location: _____
 City: _____ State: Ohio Zip Code: _____
 County(ies): _____ Township(s): _____
 Facility Contact Person: _____ Phone: _____ Fax: _____
 Facility Contact E-Mail Address: _____
 Latitude: _____ Longitude: - _____ (For Construction & Coal, must complete lat/long & attach map)
 Receiving Stream or MS4: _____

III. General Permit Information

General Permit Number: OH Initial Coverage: Renewal Coverage:
 Type of Activity: _____ SIC Code(s): - _____ - _____ - _____
 Existing NPDES Permit Number: _____ ODNR Coal Mining Application Number: _____

Outfall:	Design Flow (MGD)	Associated Permit Effluent Table	Latitude	Longitude
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Are These Permits Required? PTI _____ 401 Water Quality Certification _____
 Isolated Wetland _____ US Army Corps of Engineers _____ Individual NPDES _____
 Proposed Project Start Date (MO DY YR): _____ Estimated Completion Date (MO DY YR): _____
 Total Land Disturbance (Acres): _____ MS4 Drainage Area (Square Miles): _____

IV. Payment Information

Check #: _____ Check Amount: _____ Date of Check (MO DY YR): _____	For Ohio EPA Use Only Check ID (OFA): _____ ORG #: _____ Rev ID: _____ DOC #: _____
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I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Applicant Name: _____ Title: _____
 Applicant Signature: _____ Date: _____