Ohio EPA
40 years and moving forward

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

November 13, 2012

Re: Lawrence County
FedEx Ground Facilities
Storm Water Construction Activity
Notice of Violation
0GC01813*AG
0GC01822*AG

WDG Construction Group, Inc.
5520 Kopetsky Drive
Suite A
Indianapolis, IN 46217

Mullins Construction Co., Inc.
P.O. Box 163
Wheelersburg, Ohio 45694

To whom it may concern:

On October 16, 2012, Ohio EPA visited your site in the South Point Industrial Park. Tom Vandivier accompanied me during the inspection. The purpose of the inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. I have the following comments:

Storm Water Controls:

In accordance with Part III.G.2.d.i. and Part III.G.2.h. of the permit, all sediment control structures shall be functional throughout the course of earth disturbing activities. Sediment controls should be in place prior to the onset of construction activities and must remain in place until the entire up slope area is stabilized. All sediment control practices must be capable of ponding runoff in order to be considered functional.

During the inspection, I requested that silt fence and a small sediment trap be installed near the main entrance of the project. Mr. Vandivier stated this would be completed as soon as possible.

Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned *Rainwater and Land Development* manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Violators of ORC 6111 may be fined up to $10,000 per day of violation. In addition, federal law allows for third party lawsuits for failure to comply with terms and conditions of NPDES permits.

Within fourteen (14) days of receipt of this letter, please submit to me at this office a written notification as to actions taken or proposed to eliminate violations of the permit. Your response should include the dates, either actual or proposed, for the completion of the actions. If you have any questions please contact me at (740) 380-5277.

Sincerely,

Aaron Wolfe
Storm Water Section
Division of Surface Water

AW/dh