



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

Re: **Notice of Violation**
Wood County
Pemberville Dollar General
Storm Water Construction
Permit No. 2GC03262AG

March 20, 2013

Mr. Mark Bush
Pemberville DG, LLC
361 Summit Boulevard, Suite 110
Birmingham, Alabama 35243

Dear Mr. Bush:

On March 14, 2013, I performed an inspection of the construction site for the Pemberville Dollar General located on the east side of Pemberville Road between State Route 105 and Sugar Ridge Road, Pemberville, Ohio, Wood County. The purpose of this 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 also known as the Construction General Permit (CGP). The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

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

1. At the time of the inspection, construction of the building and parking area were complete.
2. At the time of the inspection, the Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not available for review.
3. Silt fence is not located on the north and south side of the property. The silt fence along the south side is not being maintained. *This is a violation of Part V.N. of the CGP, which requires proper operation and maintenance of all systems of treatment and control.*
4. There is litter and debris blowing into the farm fields east of the property. *This is a violation of Part III.G.2.g, which requires a best management practice for the control of non-sediment pollution that includes construction debris and solid waste.*

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5. The storm water basins located north and south of the building have not been stabilized. None of the rest of the site has been stabilized and erosion was evident. *This is a violation of the CGP Part III.G.2.b.i., which requires that Temporary stabilization be installed prior to the onset of winter weather for ground that will be idle over winter. Permanent stabilization is required within seven days on any portion of the site that has reached final grade or will be idle for longer than one year.*

Within 15 days of the date on this letter, please submit to this office **written notification** of 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 you have any questions, you may contact me at (419) 373-3016 or by e-mail at patricia.tebbe@epa.ohio.gov .

Sincerely,



Patricia A. Tebbe, P.E.
Division of Surface Water

/jlm

pc: Follow up file

ec: Tracking