



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

June 18, 2013

**Re:** Muskingum County  
Eastpointe Business Park  
Storm Water Construction Activity  
Notice of Violation  
Permit OGC01960\*AG

Mr. Mike Jacoby  
Zanesville Muskingum County Port Authority  
205 N. 5<sup>th</sup> Street  
Zanesville, Ohio 43701

Dear Mr. Jacoby:

On May 21, 2013, I visited your site on Innovation Way. 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 stormwater 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:

**Permit Coverage:**

1. Part III.G.2.d.iii of the permit requires silt fence to be installed on a level contour. Silt fence should be utilized in accordance with the specification of the *Rainwater and Land Development* manual.

**At the time of inspection, silt fence along the lower slope of the disturbed soil and throughout the site were not properly trenched into the ground. Install silt fence as outlined in ODNR's Rainwater and Land Development manual to properly control sediment laden runoff.**

2. Part III.G.2.d.iv. of the permit states that sediment control practices must minimize the amount of sediment entering an active storm drain system, unless the system drains to a sediment settling pond.

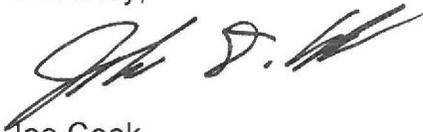
**At the time of inspection, no control structures were in place around the existing stormwater drainage ditch located across the street from the train car storage yard. Install silt fence above the stormwater channel to keep sediment from entering the channel.**

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 your NPDES permit.

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,

A handwritten signature in black ink, appearing to read "Joe Cook", with a stylized flourish at the end.

Joe Cook  
Storm Water Section  
Division of Surface Water

JC/dh