



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

June 19, 2013

Re: Muskingum County
North Borrow Pit
Storm Water Construction Activity
Notice of Violation
Permit # OGC01986*AG

Mr. Steve Zemba
Zemba Brothers, Inc.
P.O. Box 1270
Zanesville, Ohio 43702

Dear Mr. Zemba:

On May 21, 2013, I visited your site on Northpoint Road. 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:

Part III.G.2.g.ii. of the permit requires that off-site vehicle tracking of sediments be minimized. This is accomplished by constructing a proper construction entrance. The *Rainwater and Land Development* manual defines a construction entrance as a pad of aggregate 6 inches deep, 10 feet wide and 50 feet in length (30 feet for single residence lots).

At the time of inspection, vehicle track out was observed on Northpoint Road. Please install a construction entrance in accordance with the *Rainwater and Land Development* manual to maintain compliance with the general stormwater permit.

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 blue ink that reads "Jared Kemper". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jared Kemper
Storm Water Section
Division of Surface Water

JK/dh