



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

July 1, 2013

**Re:** Harrison County  
Pipe Laydown Yard  
Storm Water Construction Activity  
Notice of Violation  
Permit # OGC01930\*AG

Mr. Jon Dean  
Markwest Energy Partners LP  
101 E Market Street  
Cadiz, Ohio 43907

Dear Mr. Dean:

On June 5, 2013, I visited your site on Oak Park Road (State Route 9). 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.h of the permit states that all sediment control practices must be maintained and repaired until the entire up slope area of the development has been stabilized. According to Part III.G.2.h.i. of the permit, controls must be inspected once every seven calendar days and within 24 hours after any storm event greater than one half an inch in 24 hours. Repairs must be accomplished within three days of the inspection, except in the case of sediment ponds, which must be repaired within 10 days. In accordance with Part III.G.2.d.vi., if periodic inspections or other information indicates that a control has been inappropriately or incorrectly, then the permittee must replace or modify the control for site conditions.

**At the time of inspection, the sump in front of the discharge pipe, from the storm water trench that surrounds the property, was filled with sediment. This is resulting in extra sediment going into the silt fence that surrounds the property. During my inspection, the section of silt fence near the sump had been over loaded and sediment was leaving the construction area. Please dig out the sump and repair the silt fence in order to maintain compliance with the General Storm Water 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 cursive script that reads "Jared Kemper".

Jared Kemper  
Storm Water Section  
Division of Surface Water

JK/dh