



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

Re: **Notice of Violation**
Fulton County
Storm Water
Construction Activity
Facility No. 2GC01544*AG
Permit No. OHC00002

July 10, 2013

Mr. Ted Shroyer
River City Polymers, LLC
425 Enterprise Avenue
Wauseon, Ohio 43567

Dear Mr. Shroyer:

On June 12, 2013, I visually inspected the perimeter of the River City Polymers facility located at 425 Enterprise Avenue in Wauseon, Fulton 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.

On November 14, 2006, River City Polymers received coverage under the Ohio EPA CGP for the construction of the River City Polymers facility at 425 Enterprise Avenue, Wauseon, Fulton County. This CGP is still active and you are named as the contact for this site.

While construction activities have been basically completed at this site, the berm on the north side of the facility is eroding and needs to be stabilized. The storm water inlet at that spot also needs to be protected. *This is a violation of Part III.G.2.b.i and Part III.G.2.d.iv of the CGP.* Until all areas of the site are stabilized, coverage of the CGP must continue.

The CGP also requires post construction controls that need to address both water quality and water volume. During my inspection, I observed plastic strewn all over the site along with standing water. Bits and pieces of plastic were leaving the site and entering storm catch basins. The storm catch basin in the front of the facility along Enterprise Avenue had a metal part to strain the plastic and a silt fence barrier around it that was collapsing.

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In 2006 and again in 2008, Ohio EPA required you to obtain an Individual Industrial NPDES permit for storm water to address your industrial storm water discharges from this facility. On October 29, 2008, you applied for and were issued an Industrial General Storm Water Permit (IGP). This permit required you to develop and implement a storm water pollution prevention plan that would describe best management practices (BMPs) and controls to reduce pollutants in storm water discharges. From observations of this site, you were not implementing any controls or BMPs. This is a violation of the terms and conditions of the IGP.

In January 2012, the IGP was renewed by Ohio EPA; however, River City Polymers did not submit an application for renewal coverage under the IGP, nor did they submit a Notice of Termination (NOT) for the IGP. *This is a violation of Part II of the IGP.*

Because River City Polymers was originally required to submit an application for an Individual Industrial NPDES permit and not a General Industrial Storm Water permit, you will need to contact Mr. Ryan Gierhart of Ohio EPA at 419-373-3053 by phone or by email at ryan.gierhart@epa.ohio.gov for information on how to apply for an Individual Industrial NPDES. Please contact Mr. Gierhart within 14 days.

If these violations continue to occur, we will have no choice but to recommend escalated enforcement action to achieve compliance.

If there are 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

cc: Ryan Gierhart, P.E., DSW, NWDO
Tracking