



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

July 24, 2013

Mr. Doug Evans
Evans Landscaping, Inc.
3700 Round Bottom Road
Cincinnati, Ohio 45244

RE: Evans Landscaping, Inc., OH0141003, 1IN00298*AD, CEI
NOTICE OF VIOLATION AND SIGNIFICANT NON-COMPLIANCE
DETERMINATION

Dear Mr. Evans:

On July 2, 2013, Glen Vondersembse and I met with Tony Muto to conduct a compliance evaluation inspection (CEI) at the Evans Landscaping facility at 4229 Round Bottom Road. The purpose of this inspection was to evaluate compliance with the terms of the NPDES permit. Please note that the report, by its format, tends to highlight negative areas.

As indicated on the attached NPDES Compliance Inspection Report, all of the areas evaluated received an unsatisfactory rating.

Thank you and your staff for the time extended during the inspection. If you have any questions, feel free to contact me at (937) 285-6108.

Sincerely,



Marianne Piekutowski
Environmental Specialist II
Division of Surface Water

MP/kb

Enclosures

cc: Tony Muto, Evans Landscaping
Greg Beckman, Beckman Environmental



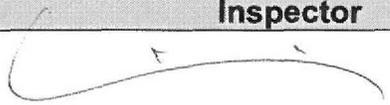
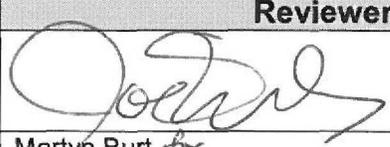
State of Ohio Environmental Protection Agency
Southwest District Office

NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1IN00298*AD	OH0141003	07/02/2013	C	S	1

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Evans Landscaping, Inc. 4229 Round Bottom Road Cincinnati, Ohio 45244	10:00 am	07/01/2011
	Exit Time	Permit Expiration Date
	11:00 am	06/30/2016
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Tony Muto	(513) 378-0816	
Name, Address and Title of Responsible Official	Phone Number	
Doug Evans, Owner Evans Landscaping, Inc. 3700 Round Bottom Road Cincinnati, Ohio 45244	(513) 623-1020	

Section C: Areas Evaluated During Inspection					
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
U	Permit	N	Flow Measurement	N	Pretreatment
U	Records/Reports	N	Laboratory	U	Compliance Schedule
U	Operations & Maintenance	U	Effluent/Receiving Waters	U	Self-Monitoring Program
U	Facility Site Review	N	Sludge Storage/Disposal	N	Other
N	Collection System				

Section D: Summary of Findings (Attach additional sheets if necessary)	
See attached report.	
Inspector	Reviewer
 Date: 7/23/13	 Date: 7/24/13
Marianne Piekutowski Division of Surface Water Southwest District Office	Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office

EVANS LANDSCAPING, INC.
NPDES COMPLIANCE EVALUATION INSPECTION
DATE OF INSPECTION: July 2, 2013

ITEMS FOR DISCUSSION:

Determine if items noted in the December 3, 2012, Notice of Violation have been addressed. Discuss the holding tank for the garage expansion. Determine if outfall signage has been addressed. Go over the status of the submittals required in the facility's NPDES permit.

COMPLIANCE EVALUATION:

To date, the self-monitoring data for outfalls 11N00298001 and 11N00298002 have not been submitted. In addition, the compliance schedule dates from the NPDES permit have not been met. The submittal of the annual compost report required in Part II of the NPDES permit and the posting of outfall signage have not been done. Because of this, the facility received an unsatisfactory rating for the categories of "Permit", "Records/Reports", Operations and Maintenance", "Effluent/Receiving Water", "Compliance Schedule" and "Self-Monitoring".

Mr. Muto told Ohio EPA personnel the self-monitoring data was being collected and reported by Beckman Environmental. In addition, Beckman was also working on the installation of the outfall signage and the storm water pollution prevention plan (SWP3). On July 3, 2013, Ohio EPA spoke with Greg Beckman of Beckman Environmental. Mr. Beckman noted they had started sampling in May 2013, but could not submit the data. The data was provided to Mike at Evans Landscaping. Mr. Beckman was unaware they were supposed to be working on developing the SWP3 and putting in the required outfall signage. He would be touching base with Evans Landscaping.

As of July 22, 2013, there have been no self-monitoring data or compliance schedule reports submitted. Evans Landscaping is in significant non-compliance for failure to meet its compliance milestone dates and perform the required sampling.

OBSERVATIONS:

Evans Landscaping manufactures mulch and topsoil. The facility covers approximately twenty acres. The bulk of the site is paved with asphalt. There are two storm water retention ponds which discharge to the Little Miami River. There were three smaller ponds we were told discharge to the larger of the two ponds (11N00298001).

When sites are cleared, the trees are brought back to the facility and made into mulch. Approximately 95% of the mulch uses carbon black for color. The other 5% uses iron oxide for red mulch. There are numerous piles of logs, wood, and mulch located throughout the site. The carbon black and iron oxide are kept on-site in 225 gallon totes. There did not appear to be any spill containment around the totes.

Evans Landscaping – Page 2

There are various pieces of mechanical equipment located throughout the site, and there is a maintenance garage attached to the offices on-site. There is nothing to contain any leaks from the equipment. There were also fuel tanks located around the facility for the trucks and equipment without any spill controls.

The discharges were not able to be observed the day of the inspection. The ponds were observed. There was algae and duckweed on the ponds, but there did not appear to be any unusual color.

On the way to Pond #1, there was a pile of construction and demolition debris with trash mixed in with it. The pile had dry wall, a couple of circuit boards and carpet. In addition, there was a pile next to this pile. It appeared to be ground drywall and other materials. When asked why the pile was there, Mr. Muto noted it was to be disposed of as construction and demolition debris. The Hamilton County Health Department Solid Waste group was notified of this finding.

REQUIRED ACTIONS

Evans Landscaping must provide copies of the annual compost report to the Division of Surface Water Southwest District Office. This includes the reports due on April 1, 2012, and April 1, 2013. These must be provided by August 16, 2013. In the future, copies of this report must be provided by April 1 as required in the NPDES permit.

Evans Landscaping must provide a copy of its Storm Water Pollution Prevention Plan (SWP3) by August 30, 2013. This was supposed to be submitted by January 1, 2012. To date, this has not been received.

Evans Landscaping must sample and submit its self-monitoring data as required in its NPDES permit. This must begin immediately.

Evans Landscaping must provide a plan describing how it will attain full compliance with its NPDES permit by July 1, 2014. This plan must be provided by September 6, 2013.

Evans Landscaping must apply for a permit to install (PTI) for the holding tank for the garage expansion. The PTI must be obtained prior to installing the holding tank. Failure to do so is a violation of Ohio Revised Code 6111.45 and Ohio Administrative Code 3745-42-11.

Evans Landscaping must install the required outfall signage by August 16, 2013. Photographs of this signage, in place, must be submitted.