



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
WATER MANAGEMENT

Insp. ID: 2269285Client ID: 312060Enf. ID: 310871

**NOTICE OF VIOLATION**

Date of Inspection: <u>4/29/2014</u>	Municipality: <u>Elk Lick Township</u>
Inspector: <u>Lisa Milsop</u>	County: <u>Somerset</u>
Company Name: <u>JPO Somerset Trust</u>	NPDES: <u>Client # 312060</u>
Address: <u>464 Lincoln Highway West</u> <u>Jeannette, PA 15644</u>	Phone: _____
Responsible Official: <u>John Oliver</u>	Title: _____
Person Interviewed: _____	Title: _____
<p>Notice to facility operator:</p> <p>Attached to this Notice of Violation is a report of an inspection of your facility. It is important that you carefully read the report and respond as requested. The report notes conditions that are violations of the Department's rules and regulations and the Clean Streams Law, the Act of June 22, 1937, P. L. 1987, as amended, 35 P.S. §§ 691.1-691.1001 ("CSL"). The report may also note conditions that may contribute to or develop into violations of the regulations and/or the CSL and therefore should be addressed.</p> <p>This Notice of Violation is neither an order nor any other final action of the Department. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.</p> <p>Signature by the person interviewed does not necessarily imply concurrence with this Notice of Violation or the attached inspection report, but does acknowledge that the person was shown the report or that a copy was left with that person.</p>	
Person Interviewed (signature): _____	Date: _____
Inspector (signature): <u>Lisa Milsop</u>	Date: <u>6-4-2014</u>
ATTACHMENT: Inspection Report	



## NPDES COMPLIANCE INSPECTION REPORT

### Comments

An inspection was conducted at the Tub Mill Farm Site in Somerset County on 4/29/2014.

**Attendance:**

PA DEP: Clean Water Program – Ed Pollock, Water Quality Specialist Supervisor  
Lisa Millsop, Water Quality Specialist  
Solid Waste Program – Mick Planinsek, Solid Waste Specialist Supervisor  
Mike Kaufman, Solid Waste Specialist

**Weather:** Steady rainfall and 62°.

**Permit Status:**

This site does not have a National Pollutant Discharge Elimination System (NPDES) Permit.

**Site Observations:**

- This site is approximately six acres of undeveloped land within a one hundred eleven acre parcel.
- The perimeter and majority of this storage site was walked during this inspection.
- The site is generally flat, sloping toward the outsides of the storage area. The storage area is mostly stoned with some vegetative growth present.
- The materials being stored onsite include railroad ties and telephone poles, which generally contain and leach creosote.
  - Large piles of stored railroad ties, telephone poles and a large pile of chipped-wood were observed.
  - A creosote odor was observed during this inspection.
- Sheen was observed in the standing water near the entrance of the property.
- Tannin (tea) colored water observed near the rutted edge of a chipped-wood pile on the site.
- Several distinct channels where runoff is being conveyed away from the storage piles were observed.

**Violation:**

The discharge of stormwater associated with industrial activity from the site without a NPDES permit and the failure to abate the existing pollution constitute violations of Section 92a.1 of the Rules and Regulations, 25 Pa. Code § 92a.1, and Sections 301 and 307 of the Clean Streams Law, 35 P.S. §§ 691.301 and 691.307; constitute unlawful conduct under Section 611 of the Clean Streams Law, 35 P.S. § 691.611; and subject JPO Somerset Trust to civil penalty liability under Section 605 of the Clean Streams Law, 35 P.S. §691.605.

**Requests:**

Within sixty (60) days from the date of this Notice of Violation (NOV), JPO Somerset Trust should submit to the Department a full and complete individual NPDES permit application for all discharges from the site.

The full and complete NPDES application should be mailed to:  
Department of Environmental Protection  
Clean Water Program  
Permitting Section  
400 Waterfront Drive  
Pittsburgh, PA 15222

The individual NPDES application materials can be accessed online at the DEP's eLibrary at:

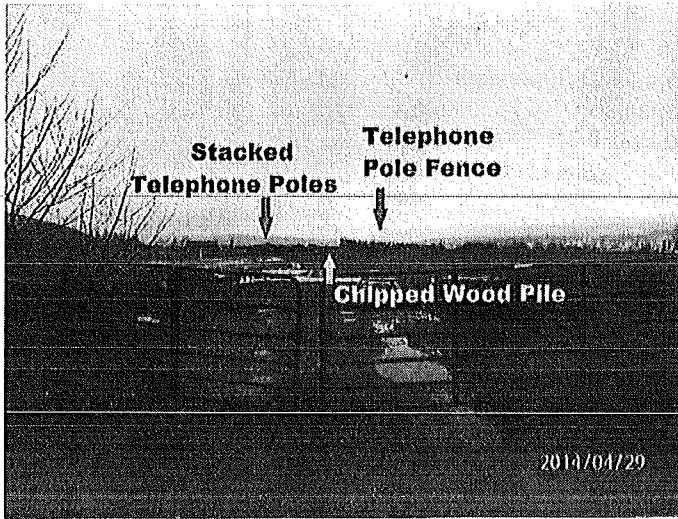
<http://www.elibrary.dep.state.pa.us/dsweb/HomePage>  
Select: » Permit and Authorization Packages  
» Water Management  
» NPDES (National Pollutant Discharge Elimination System)  
» Individual Permits

If you have any questions regarding the NPDES permit application process, please contact the Clean Water Permitting Section in the Southwest Regional Office at 412-442-4000.  
Page 2 of 6 Date: 4/29/2014 Client ID: 312060



**NPDES COMPLIANCE INSPECTION REPORT**

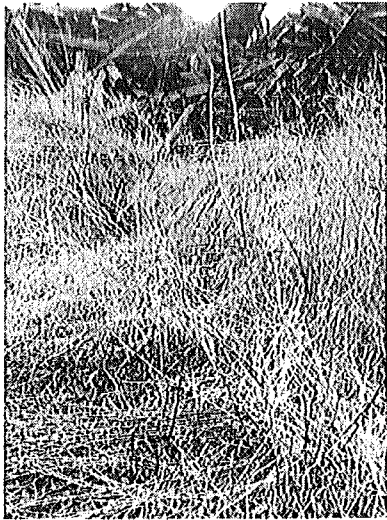
**Photos**



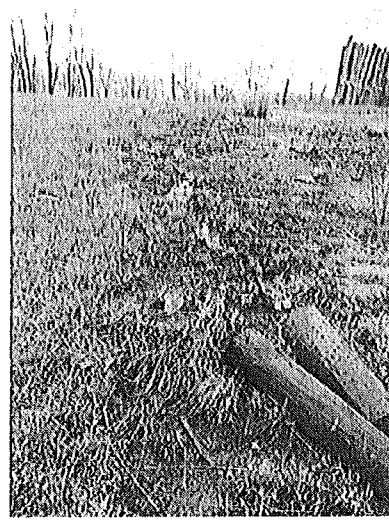
Entrance



Stormwater Runoff



Stormwater Runoff Channel at the edge of the Storage Area



Stormwater Runoff



**NPDES COMPLIANCE INSPECTION REPORT**

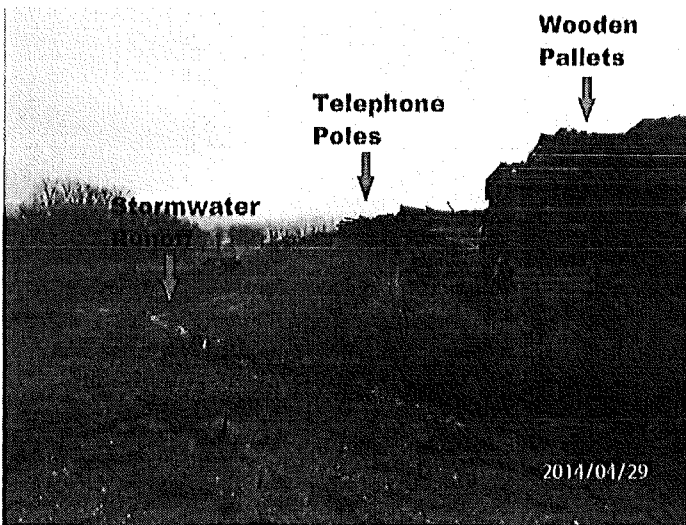
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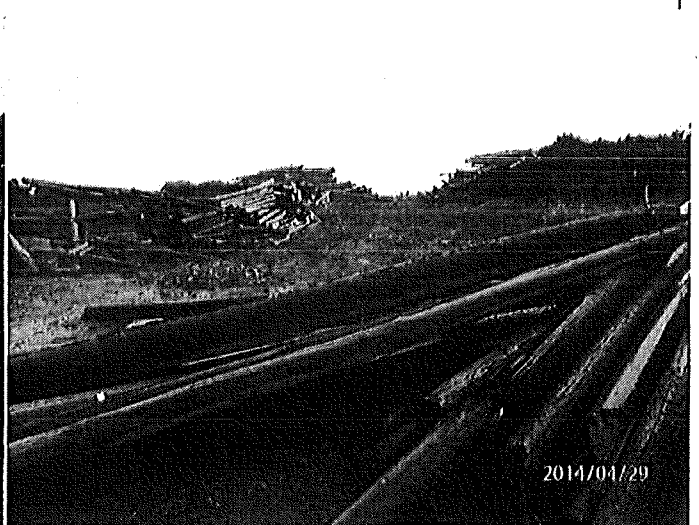
Stormwater Runoff



Stormwater Runoff



Stormwater Runoff Channel

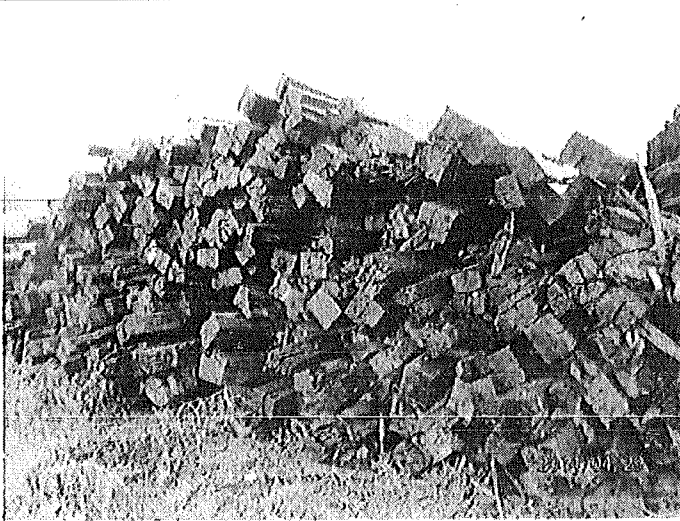


Telephone Pole Stacks – downslope of area

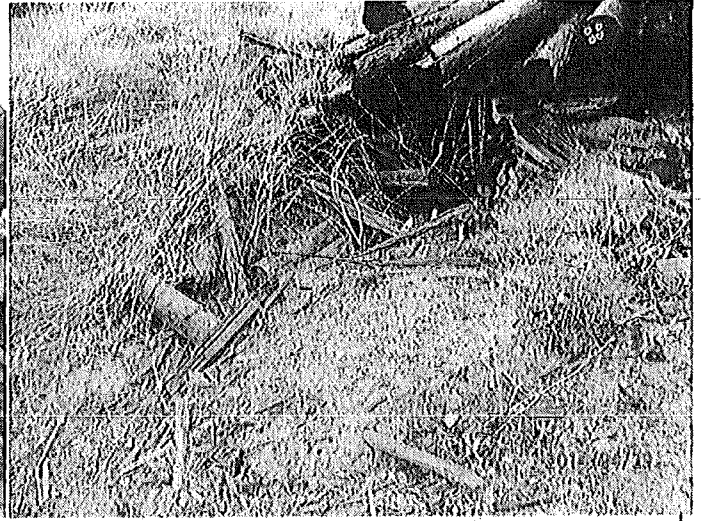


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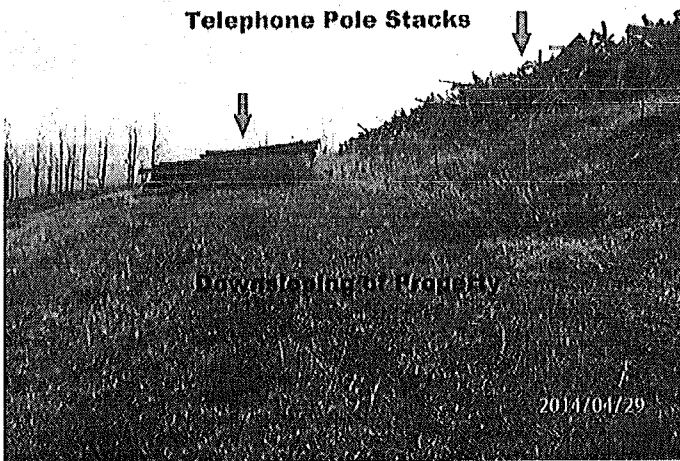
#### Photos



Railroad Tie Stack



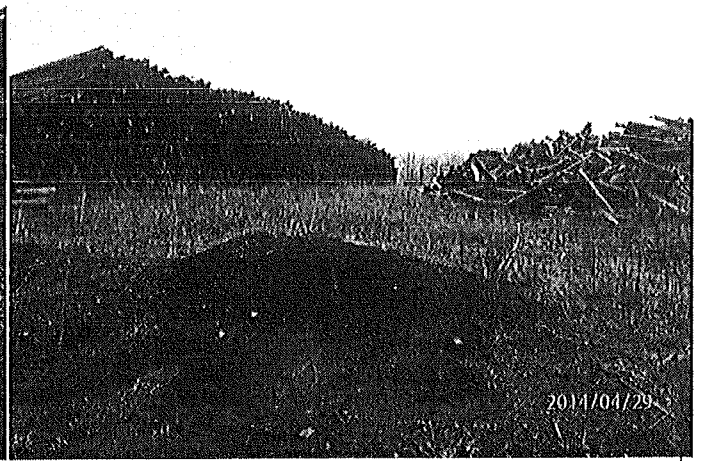
Stormwater Runoff Channeling



Telephone Pole Stacks

Downgrading of Property

2014/04/29



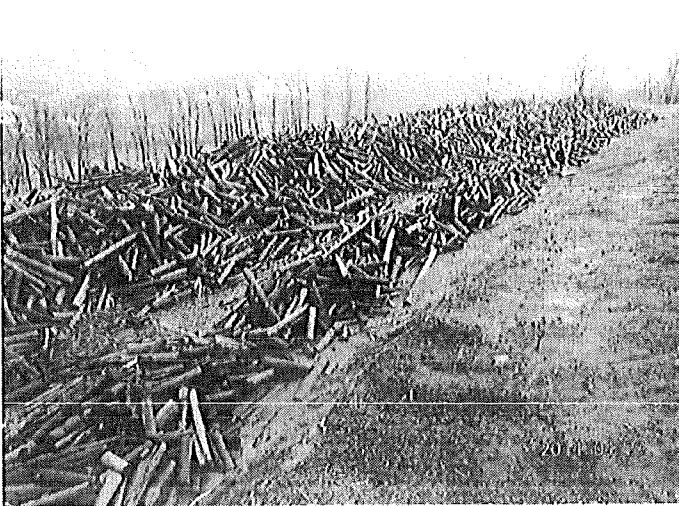
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Telephone Pole Stacks

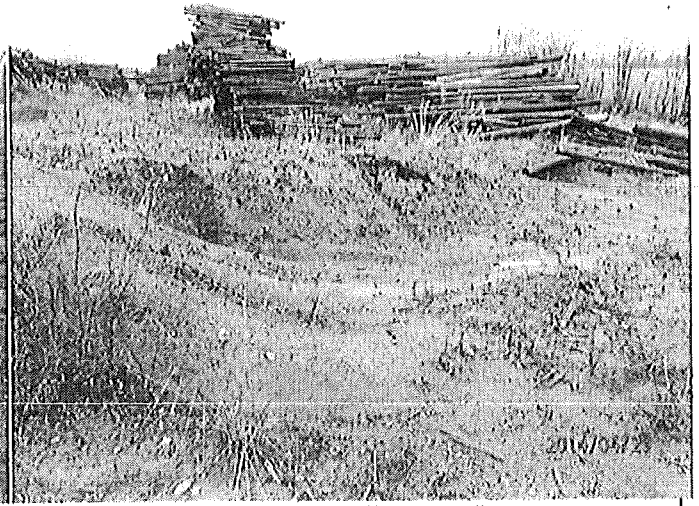


COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF WATER STANDARDS AND FACILITY REGULATION  
NPDES COMPLIANCE INSPECTION REPORT

Photos



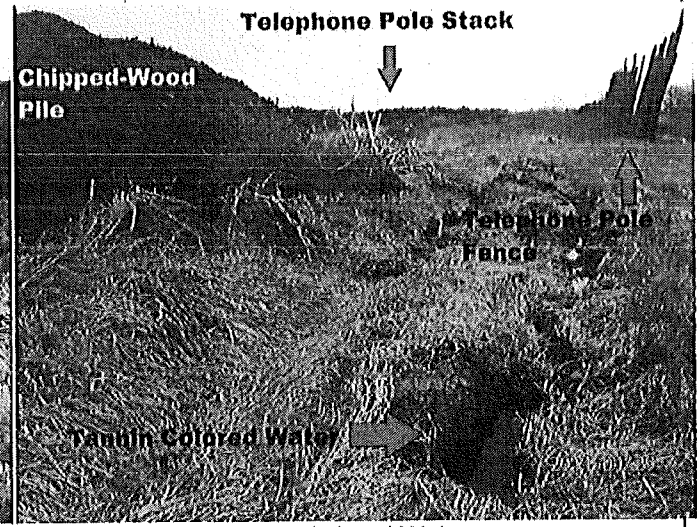
Railroad Tie Stack



Stormwater Runoff Channelling



Chipped-Wood Pile



Telephone Pole Stack

Chipped-Wood Pile

Telephone Pole Fence

Tannin Colored Water

Tannin Colored Water