

PUBLIC NOTICE
PROPOSED CONSENT ORDER

The Ohio Environmental Protection Agency (Ohio EPA) and James Brent Hayes and J.B. Hayes Excavating & Pipeline, Inc. (J.B. Hayes) have entered into a proposed Consent Order to resolve a Complaint filed against and J.B. Hayes on June 18, 2010 in the Athens County Court of Common Pleas, case number 10 CI 0182. The proposed Consent Order would require J.B. Hayes to immediately comply with the requirements of Ohio Revised Code Chapter 6111 and with the terms and conditions of the April 21, 2008 General National Pollutant Discharge Elimination System Permit for Storm Water Discharges. J.B. Hayes owns and operates the following properties: "Four U.S. Route 50 Buildings Site" located on 16635 U.S. Route 50 in Athens County, "Hamden Elementary Borrow Pit Site" located next to Hamden Elementary School on State Route 93 in Vinton County, "Harmony Road Borrow Pit Site" located on Harmony Road in Caanan Township, Athens County, and "Hayes Professional Building Site" is located at the intersection of U.S. Route 33 and Township Road 655 in Dover Township, Athens County.

In addition, the proposed Consent Order prohibits the installation of any new disposal system without first obtaining a Permit-to-Install. The proposed Consent Order requires payment of a thirty eight thousand, one hundred and twenty five dollar (\$38,125) civil penalty.

Copies of the proposed Consent Order can be obtained from the Ohio EPA, Southeast District Office, by calling the Division of Surface Water Supervisor at (740) 385-8501 or by writing to:

Ohio EPA, Southeast District Office
Division of Surface Water
2195 Front Street
Logan, Ohio 43138
Attn: Enforcement Coordinator

Written comments should be submitted to Ohio EPA, Southeast District Office at the above address. Written comments should be submitted on or before **June 21, 2012**.

The final approval and entry of the proposed Consent Order will not occur until after the thirty (30) day public comment period has expired. The thirty day period commences on **May 22, 2012**. Both the State of Ohio and J.B. Hayes reserve the right to withdraw or alter the proposed Consent Order based on comments received during the public comment period.