MMM DD, YYYY

John Doe

Environmental Manager

XYZ Inc.

1000 Example Street

Lexington, NE 68###

NOTICE OF VIOLATION – ILLICIT DISCHARGE/CONNECTION

Dear Mr. Doe,

This letter is a follow-up to an inspection of your property (Address) by City of Lexington staff on MMM DD, YYYY. It was determined during the inspection that pipes from your facility are connected to the storm sewer within the City Limits and illicit discharges from your facility has previously been observed to also discharge into the storm sewer. The City has no record of approval for such a connection. The construction, connection, use, maintenance or continued existence of any illegal connection to the city’s separate storm sewer system is prohibited.

XYZ, Inc. has 15 days to remove any connection and discharge into the stormwater system. If the connection is not removed within this time, the property owner shall be liable to criminal prosecution, and shall be subject to a criminal penalty of up to one hundred dollars ($100.00) per violation per day.

You may appeal this violation determination of the city. The notice of appeal shall be in writing and shall be delivered to the city clerk within thirty (10) days from the date of the notice of violation. Hearing on the appeal before the City Administrator shall take place within fifteen (15) days from the date of receipt of the notice of appeal. The pendency of an appeal shall not relieve the responsible person from complying with the requirements of the notice of violation, unless the City Administrator otherwise consents in writing.

If you fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator and may be assessed against the real estate or collected by civil action. Representatives of the city may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the city's designees or agents to enter upon the premises for the purposes set forth in this section.

It is the sole responsibility of XYZ, Inc. to ensure that it complies with all environmental regulations both at the state and local levels. XYZ, Inc must comply with all appropriate stormwater ordinances and standards. If you have questions regarding this matter, please call me at 308-324-3811

Sincerely,

Bill Brecks

Lexington Development Services Director

Pc: Lexington City Administrator

 Reuel Anderson, NDEE

 File