



State of Ohio Environmental Protection Agency

**Southeast District Office**

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

July 23, 2010

**Re:** Athens County  
Nelsonville Bypass  
Storm Water Construction  
Compliance Inspection  
0GC01002\*AG

Mr. Tom Welch  
Beaver Excavating  
2000 Beaver Place Avenue, SW  
P.O. Box 6059  
Canton, Ohio 44706

Dear Mr. Welch:

On June 14, 2010, I inspected the Nelsonville Bypass construction project. The purpose of my inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. As a result of the inspection, I have the following comments:

1. Part III.G.2.d.ii. of the permit requires that concentrated storm water runoff and runoff from drainage areas, which exceed the design capacity of silt fence or inlet protection, shall pass through a sediment settling pond. The sediment settling pond shall be sized to provide at least 67 cubic yards of storage per acre of total contributing drainage area. When determining the total contributing drainage area, off-site areas and areas which remain undisturbed by construction activity must be included unless runoff from these areas is diverted away from the sediment settling pond and is not co-mingled with sediment-laden runoff. Sediment must be removed from the sediment settling pond when the design capacity has been reduced by 40 percent.

**Ponds throughout the site must be assessed for proper sizing in regards to the contributing drainage areas draining to them. While many ponds appeared to be of adequate size some ponds appeared to be small when compared to the contributing drainage area. Topography makes pond installation difficult in some areas. If areas of this type are encountered please evaluate other options to meet permit requirements. Some possible options include but are not limited to the installation of additional smaller ponds in the area, increased maintenance schedules, and/or the creation of zero discharge areas if possible.**

**Evaluate all existing ponds and install new ponds or increase pond sizing as needed to comply with the permit.**

2. Part III.G.2.d.i. of the permit requires that sediment control structures be functional throughout the course of the earth disturbing activity. Sediment basins and perimeter sediment barriers shall be implemented prior to grading and within seven days from the start of grubbing. They shall continue to function until the up slope development area is re-stabilized.

**As construction progresses and the topography is altered, appropriate controls must be constructed or existing controls altered to address the changing drainage patterns.**

**Controls were in place during the first phase of the project and storm water control locations are shown on the last phase of the project but major excavation phases were not accounted for in some areas on the SWP3.**

**This is a reoccurring problem on large ODOT projects. Ohio EPA would like to find a way to enable the contractor to have an SWP3 that will serve all phases.**

**What could ODOT or the contractors do to facilitate better implementation of storm water controls throughout all phases of the project?**

**What process can be changed to facilitate the formulation of an SWP3 that will show 3-4 phases of a project at the start of construction? Typically, only two major phases are shown in detail on ODOT SWP3's.**

3. Part III.G.2.b.i. (Table 2) of the permit requires that any area that will lie dormant for more than 21 days, but less than a year be stabilized within 7 days of the most recent disturbance.

**A large portion of the project has been dormant since winter. The long duration of time has allowed the straw to degrade to a point in which the area does not meet temporary stabilization requirements any longer.**

**The right side of station 438 had hydroseed applied a few days before my inspection. The hydroseed was applied, in some areas, from over 300 feet away. The hydroseed application in this area was inadequate.**

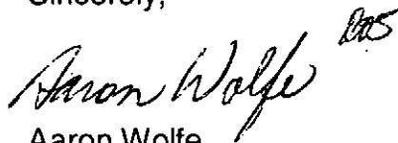
**Assess the entire site for areas that do not meet temporary stabilization requirements. Properly stabilize any areas found to be deficient. Some areas may need to be stabilized manually.**

**As a reminder, our Director will be visiting the site at 11:00 AM on August 17, 2010. We will meet on-site at the Beaver job trailer. The purpose of the meeting will be to educate the Director on issues related to the waste area slip and wetland impacts. After a briefing on the situation, we plan to visit the wetland area.**

Within (14) days of receipt of this letter, please submit to me at this office a written letter addressing the above issues.

If there are any questions, please contact me at (740) 380-5277.

Sincerely,

 <sup>AW</sup>

Aaron Wolfe  
Storm Water Coordinator  
Division of Surface Water

AW/dh

- c: Mr. T. Steve Williams, District Construction Eng., ODOT
- c: Ron Trivisonno, ODOT, Construction Admin., ODOT
- c: Ric Queen, DSW, CO