



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

October 17, 2007

Re: Jefferson County
Hollywood Center Hill Top Development
Storm Water Construction Activity
Notice of Violation
0GC00423*AG

Mr. Dominic Teramana Jr.
Teramana Enterprises
200 Stanton Boulevard, Suite 200
Steubenville, Ohio 43952

Dear Mr. Teramana:

On August 22, 2007, I visited your site on Stanton Boulevard. The purpose of the inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for the discharge of stormwater associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following areas need to be addressed:

1. **Assess all inlets around the project to determine if controls are sufficient to ensure that sediment is being retained onsite. Implement corrective actions in deficient areas.** Part III.G.2.d.iv. of the permit states that sediment control practices must minimize the amount of sediment entering an active storm drain system, unless the system drains to a sediment settling pond.
2. **All areas that will lie dormant for more than 21 days must be stabilized. Seed and mulch all areas that do not comply with this requirement.** 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.
3. **The sediment traps and sediment settling ponds must be cleaned out.** Part III.G.2.d.ii of the permit requires concentrated runoff and runoff from drainage areas, which exceed the design capacity of silt fence or inlet protection, to be conveyed to a sediment settling pond. Sites over 5 acres must install a sediment pond. Sediment ponds must be capable of holding 67 cubic yards of storage per on site and off site drainage acre. Sediment must be removed from the sediment pond when the design capacity has been reduced by 40 percent (this is typically reached when the pond is half full).

4. **The outside slope of the new access road must be stabilized to prevent sediment erosion. This slope is part of the recently disturbed area near the rear of the property.** Part III.G.2.b.i (Table 1) of the permit requires that permanent stabilization be applied to areas at final grade within 7 days of the last disturbance. Permanent stabilization is defined as the establishment of permanent vegetative cover, decorative landscape mulching, matting, sod, rip rap and landscaping techniques to provide permanent erosion control.

5. **Add any newly disturbed areas to your Storm Water Pollution Prevention Plans (SWP3).** In accordance with Part III. D. of the permit, the permittee shall amend the SWP3 whenever there is a change in design, construction, operation or maintenance, which has the potential to significantly affect the discharge of pollutants to surface waters of the state or if the SWP3 proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges.

Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned *Rainwater and Land Development* manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Within fourteen (14) days of receipt of this letter, please submit to me at this office a written notification as to actions taken or proposed to eliminate violations of the permit. Your response should include the dates, either actual or proposed, for the completion of the actions. If you have any questions, please contact me at (740) 380-5277.

Sincerely,



Aaron Wolfe
Storm Water Section
Division of Surface Water

AW/dh