



State of Ohio Environmental Protection Agency

Southeast District Office

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

September 9, 2009

Re: Vinton County
Vinton County Airport
Storm Water Construction Activity
Notice of Violation
Permit Number: OGC01244*AG

Terry Stevens
Vinton County Commissioners
100 E Main St.
McArthur, OH 45651

Dear Mr. Stevens:

On August 17, 2009 and August 24, 2009, Ohio EPA visited your site at Vinton County Airport in New Plymouth. The purpose of the inspections were to determine the compliance status 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. The following areas need to be addressed:

Permit Coverage

1. 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 10 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). **The sediment ponds on the site are too small to effectively treat the amount of sediment laden water. Clean out the sediment ponds and enlarge them. More ponds may need to be installed on the site (See photographs 4,10,12,13). Install ponds so they will serve many phases of the project.**
2. 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. **The area upslope of the stream has been dormant for some time and lacks effective stabilization. Stabilize these areas immediately (see photographs 2,3,9,11). This area is causing severe stream impairment downstream of the site.**
3. Part III.G.2.d. of the permit states that the SWP3 should incorporate runoff control practices to divert runoff away from disturbed areas and steep slopes were practicable. **Sheet flow runoff is occurring on the slope above the stream on the site causing sedimentation of the stream (see photographs 5,7,8). Please repair**

the diversion ditches along the contour of the hill to divert the water to the sediment ponds more effectively. Diversions should be stabilized with rip rap. (see photos 1,3, 13). More diversions or ponds may need to be installed.

4. Part III.G.2.b.i. (Table 2) of the permit requires that any area within 50 feet of a stream that will remain dormant for more than 21 days be stabilized within two days of the most recent disturbance. **Stabilize the areas adjacent to the stream immediately.**
5. The Storm Water Pollution Prevention Plan that was submitted to me does not appear to contain all of the project area. **Please have your engineer update and submit a SWP3 that reflects current and future conditions of the project. I would also like to review the documentation showing that the United States Army Corps of Engineers was contacted concerning the stream culverting portion of the project.**

Immediate action must be taken to stop any further degradation to downstream watersheds. Your project has caused a large section of stream to be filled in downstream. You must concentrate on stopping the sediment and sand load to the stream immediately. Be advised that failure to comply with the terms and conditions of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

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 Aaron Wolfe at (740) 380-5277.

Sincerely,



Aaron Wolfe
Storm Water Coordinator
Storm Water Section
Division of Surface Water

AW/mlm

Enclosures

c: D.J. Group, Inc.
c: Don Yager