



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

August 26, 2009

**Re: Washington County
Virco Light Industrial Development
Storm Water Construction Activity
Notice of Violation
0GC01208*AG**

Mr. Tomas Palmer
Virco, Inc.
P.O. Box 100
Reno, Ohio 45773

Dear Mr. Palmer:

On July 22, 2009, I visited your site on State Route 7 in Marietta. The purpose of the inspection was 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 are over half full (see picture 2). The sediment needs to be removed from the ponds.**
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. **Much of the site has been left dormant for more than 21 days. Stabilize all of these areas (see pictures 5-8 and 10).**
3. Part III.G.2.b.i. (Table 1) of the permit requires that permanent stabilization be applied within 7 days to any area that will lie dormant for more than one year. 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. Permanent seeding may be accomplished between March 1 and May31 or August 1 and September 30. Any

seeding that occurs between October 1 and November 20 will be considered dormant seeding. **The site needs to be permanently stabilized if the construction activity will cease for a year (see pictures 5-8 and 10).**

4. Part III.G.2.b.ii. of the permit states that operators shall stabilize channels and outfalls to prevent erosive flows. Techniques may include seeding, mulching, erosion control matting, sodding, rip rap, or rock check dams. **There are channels with erosive flow throughout the property (see pictures 3, 4, 9, 11). These areas need to be fixed with seeding, mulching, rock check dams, or rip rap.**
5. In accordance with Part III.G.2.d.i. and Part III.G.2.h. of the permit, all sediment control structures shall be functional throughout the course of earth disturbing activities. Sediment controls should be in place prior to the onset of construction activities and must remain in place until the entire up slope area is stabilized. **There needs to be sediment controls put in place. If all water is routed into the sediment ponds the only new control that needs to be installed is an orifice structure on the sediment ponds (see picture 1).**

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.

Please 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.

Sincerely,



For Joe May

Joe May
Storm Water Section
Division of Surface Water

JM/dh

Enclosure

c: Bill Showalter, BHG Surveying