



**Environmental  
Protection Agency**

John R. Kasich, **Governor**  
Mary Taylor, **Lt. Governor**  
Scott J. Nally, **Director**

September 6, 2011

**Re:** Washington County  
Washington Electric Cooperative  
Storm Water Construction Activity  
Notice of Violation  
0GC01125\*AG

Mr. Jerry Zalmanek  
Mondo Building & Excavating  
P.O. Box 250  
Reno, Ohio 45773

Dear Mr. Zalmanek:

On August 16, 2011, I visited the Washington Electric Cooperative site off of Highland Ridge Road. The purpose of the inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges 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:

**Permit Coverage:**

1. 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.

**Upon inspection, there were several areas around the site that appeared to be at temporary or final grade. Rills and gullies were formed throughout the steep grades on the perimeter of the site. These erosive conditions have the possibility to directly impact waters of the state. Stabilize these areas with rip-rap, geo-matting, or seed and straw to prevent further soil erosion.**

2. Part III.G.2.h of the permit states that all sediment control practices must be maintained and repaired until the entire up slope area of the development has been stabilized. According to Part III.G.2.i. of the permit, controls must be inspected once every seven calendar days and within 24 hours after any storm event greater than one half an inch in 24 hours. Repairs must be accomplished within three days of the inspection, except in the case of sediment ponds, which

must be repaired within 10 days. In accordance with Part III.G.2.d.vi., if inspections or other information indicates that a control is not functioning or ineffectual, then the permittee must replace or modify the control.

**Silt fencing around the perimeter of the site was in need of repair or replacement. Please inspect all silt fencing and perform any repairs that are needed.**

3. 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).

**Due to the location of this site being at the top of a hill, large amounts of runoff will carry sediment off of the site at above normal discharge levels. It is recommended that several temporary sediment traps be utilized in the low-lying areas of this site to allow for sediment settling and for storm water retention during and after rain events. After the site is at final grade, it is recommended that a permanent sediment pond be installed near the rear of the property for perpetual water quality volume storage.**

4. In accordance with the permit (Part II. D.), the permittee shall make the NOI and SWP3 available upon the request of the director of Ohio EPA or authorized representative; local agencies approving sediment and erosion control plans, grading plans, or storm water management plans; local government officials; or operators of municipal separate storm water systems. Part III.C.2.a. requires the NOI application, letter of approval, and SWP3 to be available at the construction site upon the request of the director of Ohio EPA or his authorized representative.

**Please submit a copy of your SWP3 for this site along with your response to these violations. A copy of the plans will help us get a better idea of what your sediment and erosion control practices will be throughout the course of this project.**

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.

Violators of ORC 6111 may be fined up to \$10,000 per day of violation. In addition, federal law allows for third party lawsuits for failure to comply with terms and conditions of NPDES permits.

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) 380-5447 or Aaron Wolfe at (740) 380-5277.

Sincerely,

A handwritten signature in black ink, appearing to read 'L.J. Parkins', with a horizontal line extending to the right.

L.J. Parkins  
Storm Water Section  
Division of Surface Water

LJP/dh