



**Environmental
Protection Agency**

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

July 19, 2011

Re: Athens County
County Road #7
Storm Water Construction Activity
Notice of Violation
0GC00562*AG

Mr. John Branner
Athens County Engineer
1600 Canaanville Road
Athens, Ohio 45701

Dear Mr. Branner:

On June 29, 2011, I visited your site on Johnson Road. 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:

Permit Coverage:

TABLE 1: PERMANENT STABILIZATION

Area requiring permanent stabilization	Time frame to apply erosion controls
Any areas that will lie dormant for one year or more	Within seven days of the most recent disturbance
Any areas within 50 feet of a surface water of the State and at final grade	Within two days of reaching final grade
Any other areas at final grade	Within seven days of reaching final grade within that area

TABLE 2 – TEMPORARY STABILIZATION

Area requiring temporary stabilization	Time frame to apply erosion controls
Any disturbed areas within 50 feet of a surface water of the State and not at final grade	Within two days of the most recent disturbance if the area will remain idle for more than 21 days
For all construction activities, any disturbed areas that will be dormant for more than 21 days but less than one year, and not within 50 feet of a surface water of the State	Within seven days of the most recent disturbance within the area For residential subdivisions, disturbed areas must be stabilized at least seven days prior to transfer of permit coverage for the individual lot(s).
Disturbed areas that will be idle over winter	Prior to the onset of winter weather

Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed.

The stream near the cemetery is receiving a large amount of sediment from the disturbed slope above. The area appeared to be at final grade. Apply permanent stabilization immediately. Assess the entire site and apply stabilization all barren areas as needed according to the above permit requirements.

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.

Send a copy of the SWP3 for review along with the response to this letter.

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) 380-5418 or Aaron Wolfe at (740) 380-5277.

Sincerely,



Chris Stephan
Storm Water Section
Division of Surface Water

CCS/dh

THE PREVIOUS LETTER
CONTAINED AN INCORRECT
DATE OF INSPECTION.
THIS LETTER SERVES
TO REPLACE THE PREVIOUS
LETTER.