



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

October 20, 2010

RE: COLUMBIANA COUNTY
BEAVER CREEK WATERSHED
CRESTVIEW LOCAL SCHOOLS
FAIRFIELD TOWNSHIP

Mr. John Dilling
Superintendent
44100 Crestview Road
Columbiana, OH 44408

Dear Mr. Dilling:

On September 7, 2010, I performed a compliance inspection of storm water best management practices (BMPs) at the above referenced site. I was accompanied by Dan Bogoevski, Dean Stoll, and Virginia Wilson of this office. Our records indicate that storm water discharges from the Crestview Performing Arts Center are authorized under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04910*AG.

The purpose of this letter is to notify you of the immediate storm water program concerns as they relate to site conditions on the date of inspection. At the time of inspection construction was just starting. A follow up inspection will be performed in the near future.

Administrative Requirements

- **Please submit the Storm Water Pollution Prevention Plan (SWP3).** Part III.C.2.b requires you to submit the plan within 10 days of written request.
- **Failure of operator to obtain NPDES permit coverage.** This is a violation of Part I.E of the NPDES permit and Ohio Administrative Code (OAC) 3745-38-06. This violation is specific to the construction company at the site performing the work. All parties that meet the definition of operator are required to obtain NPDES permit coverage. The definition of "operator" in the NPDES permit includes the party that manages the day-to-day operations at the construction site that are required to comply with the NPDES permit. To obtain NPDES permit coverage, the construction company managing the day-to-day operations must submit a Co-Permittee Notice of Intent (Co-Permittee NOI) to Ohio EPA. The Co-Permittee NOI was to be submitted by the contractor prior to the start of construction activities. The form and instructions can be downloaded from our Web site at www.epa.ohio.gov/dsw/storm/stormform.aspx. There is no fee to file the form.

- **All contractors and subcontractors involved in the implementation of the SWP3 must sign a written document containing their signatures acknowledging review and understanding of the plan.** This document must be kept with the SWP3 on site. Failure to do this is a violation of Part III.E of the NPDES permit and ORC 6111.04 and 6111.07. This requirement applies to contractors and subcontractors other than those that meet the definition of "operator". Please let me know if there are or will be any such contractors or subcontractors for this project and if so, please be sure that the signed document is kept with the SWP3 on site. A template for an acceptable signed document is available in Appendix H of the United States Environmental Protection Agency (US EPA) document titled *Developing Your Storm Water Pollution Prevention Plan: A Guide for Construction Sites* available at www.epa.gov/npdes/stormwater/construction.
- **The operator must conduct inspections of storm water BMPs once every 7 days and within 24 hours of a 0.5-inch or greater rainfall. The operator must also maintain documentation of these inspections and their results.** Failure to do this is a violation of Part III.G.2.i of the NPDES permit and Ohio Revised Code (ORC) 6111.04 and 6111.07. Please be sure that these inspections are being conducted and that inspection records are being kept. The individual conducting these inspections must be knowledgeable in the principles and practice of erosion and sediment controls and must possess the skills to assess all conditions at the construction site that could impact storm water quality. The inspector must also be able to evaluate the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction site.

Sediment and Erosion Controls

- There were no visible storm drain inlet controls in the parking lot during the inspection. Storm Drain Inlet Controls must be included on the Storm Water Pollution Prevention Plan (SWP3) to minimize discharge of sediment to the existing and future storm water drainage systems. Please refer to Part III.G.2.d.iv of the NPDES permit and the current design criteria of *Rainwater and Land Development* 2006 edition and its updates (available on-line at <http://www.dnr.state.oh.us/tabid/9186/default.aspx>).
- **Concrete wash out pit.** When concrete is utilized at a construction site, a method for handling the wash out water must be employed. A concrete wash out pit has not been completed at the time of the inspection. Concrete wash water is not permitted to flow into streams, ditches, storm drains or any other water conveyance. A pit with no potential for discharge shall be constructed if needed to contain concrete wash water. This pit must be included on the SWP3 and constructed on site. Please be sure to install the pit before you begin pouring concrete.

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- **Disturbed areas that will remain idle for 21 days or longer must be temporarily stabilized within 7 days of last disturbance.** Temporary stabilization should be implemented through seeding and mulching. This must be done throughout the course of construction.

Post-Construction BMPs

- **Please identify the post-construction BMPs that will be implemented to address the requirements of Part III.G.2.e of the NPDES permit.** Ohio EPA requires the installation of permanent BMPs to improve the quality of post-construction runoff from areas developed or redeveloped as a result of this project. Practices such as bioretention cells, enhanced swales, sand filters, pocket wetlands and vegetated filter strips with berms are typically appropriate for drainage areas less than 5 acres, while wet, dry or wetland extended detention ponds are more typical for larger drainage areas. Where the larger common plan of development or sale disturbs 5 or more acres, these practices must be designed to treat the Water Quality Volume (WQv) over a prescribed target drain time. If the permittee can demonstrate that one of these standard practices is unachievable, Ohio EPA may consider alternative practices such as permeable pavement, cisterns (rain barrels), or manufactured systems. Ohio EPA may also consider non-structural BMPs such as riparian and wetland setbacks in lieu of structural practices under certain circumstances. However, the permittee must obtain approval from Ohio EPA to implement alternative BMPs. Approval should have been obtained before submitting the NOI.

Please provide me with a letter of response indicating the actions you will take to address these concerns. Include a copy of the amended SWP3 with your response. Your response should be received **no later than November 3, 2010**.

If you have any questions, please contact me at (330) 963-1193.

Sincerely,

Joseph E. Trocchio, P.E.
Environmental Engineer
Division of Surface Water

JT/mt

cc: Dan Osterfeld, Ohio EPA, DSW, CO
Pete Conkle, Columbiana SWCD
Bert Dawson, Engineer, Columbiana County
Fairfield Township Trustees