



Environmental
Protection Agency

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

July 19, 2011

RE: STARK COUNTY
TUSCARAWAS TOWNSHIP
TUSLAW ELEMENTARY SCHOOL
CONSTRUCTION STORM WATER

Mr. Al Oster
Tuslaw Local School District
1835 Manchester Avenue NW
Massillon, OH 44647

Mr. Mark Davis
Jeffrey Carr Construction
4164 Erie Avenue SW
Massillon, OH 44648

Nieman Excavating Co LLC
1569 Smith Drive
Wooster, OH 44691

Dear Mr. Oster, Mr. Davis, and Nieman Excavating Co LLC:

On July 13, 2011, I, along with Julie Berbari of the Stark Soil & Water Conservation District (SWCD), performed an inspection at the above-referenced site to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04616*AG. Our records indicate that Tuslaw Local School District was granted coverage under the NPDES permit on September 3, 2009. Our records further indicate that Jeffrey Carr Construction and Nieman Excavating Co LLC submitted Co-Permittee Notices of Intent on October 14, 2009.

During my inspection, I documented the following deficiencies:

1. Concrete washout is present on the ground (Figure 1), and I was unable to locate a designated concrete washout on the site. According to the NPDES permit, water that comes in contact with concrete is considered waste water and cannot leave the site. As a result, you must designate contained areas for concrete washout, and these locations must be outlined in your Storm Water Pollution Prevention Plan (SWP3). Please install an appropriate washout before conducting any further work with concrete.
2. Construction debris and other pieces of garbage are not contained. Please dispose of construction debris in an appropriately-marked dumpster to prevent trash from leaving the site.

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3. The ditch along State Route 93 is filled with sediment. Please remove the sediment from this area. Then, you should lay seed and mulch to stabilize the dirt and prevent additional sediment from collecting in the roadside ditch.
4. If any areas have reached final grade or will not be worked within the next 21 days, please stabilize these locations within seven days of the last earth disturbance.

Please provide me with a letter of response indicating the actions you will take to address the deficiencies noted above. Your response, along with any amendments to the SWP3, must be submitted to the Ohio EPA **no later than August 1, 2011**. If corrective actions are not completed by this date, please include a schedule that outlines when action will be taken. It is Ohio EPA's expectation that all of these deficiencies will be addressed within 10 days of receipt of this letter.

Finally, please fax a copy of your most recent storm water inspection report to my attention at (330) 487-0769 or via e-mail at michelle.hummel@epa.state.oh.us. The NPDES permit requires you to inspect all storm water best management practices once every 7 days and within 24 hours of a 0.5-inch or greater rainfall. The results of these inspections must be documented as indicated in Part III.G.2.i of the NPDES permit.

If you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1128.

Sincerely,



Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH/mt

cc: Keith Bennett, Engineer, Stark County
Trustees, Tuscarawas Township
Julie Berbari, Stark SWCD

ec: Phil Rhodes, DSW, NEDO

Tuslaw Elementary School
Tuscarawas Township Stark County

Photos Taken: July 13, 2011
By: Michelle Hummel, DSW, NEDO



Figure 1 – Concrete washout is not contained.