Environmental Protection Agency

Governor
Lt. Governor
Director

July 27, 2011

RE: STARK COUNTY
OSNABURG TOWNSHIP
EXIT C&D LANDFILL
CONSTRUCTION STORM WATER

Mr. Gary Moderalli
Moderalli Excavating Inc
9784 Springfield Road
Poland, OH 44514

Dear Mr. Moderalli:

According to Ohio EPA records, Moderalli Excavating Inc. obtained coverage for the above-referenced site under the General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC01570*AG on April 28, 2005. However, according to the Stark Soil & Water Conservation District (SWCD), which is responsible for inspecting active construction sites, this project is complete and the site has been stabilized. Please be aware that NPDES permit coverage must be terminated within 45 days of when the site reaches final stabilization. Final stabilization means that all soil-disturbing activities at the site are complete and a uniform perennial vegetative cover (i.e., evenly distributed, without large bare areas) has reached a growth density of 70% or greater on all unpaved areas and areas not covered by permanent structures. Equivalent stabilization measures, such as the use of landscape mulches, rip-rap, or gabions, may be employed, where appropriate, in lieu of vegetation. Also, all temporary erosion and sediment control practices must be removed and disposed, and all sediment trapped by these practices must be permanently stabilized.

In addition, post-construction water quality best management practices (post-construction BMPs) must be installed, and a long-term maintenance plan must be provided to the party that will be responsible for long-term maintenance of those practices, e.g., homeowners' association. Post-construction BMPs are permanent site features that will remain in perpetuity to improve the quality of storm water runoff from the development site. Examples of post-construction BMPs include, but are not limited to, extended detention basins, bioretention cells (or "rain gardens"), sand filters, permeable pavement, and enhanced swales. In some cases, post-construction BMPs include non-structural preservation areas such as riparian setbacks and conservation easements.

Please review your site to determine if it has reached final stabilization and ensure that post-construction BMPs have been installed. If you determine that your site has reached final stabilization, you must submit a Notice of Termination (NOT) to Ohio EPA to

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

terminate NPDES permit coverage. The form and instructions are available on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. If you determine that your site does not yet qualify for an NOT, please provide me with a letter of explanation indicating why NPDES permit coverage cannot yet be terminated. Please submit the NOT or letter of explanation **no later than August 9, 2011**.

If you have any questions, please contact me at (330) 963-1128. You may also contact Phil Rhodes of the Ohio EPA at (330) 963-1136.

Sincerely,

Michelle Hummel

Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH/mt

ec: Julie Berbari, Stark SWCD
Phil Rhodes, DSW, NEDO