

**Environmental
Protection Agency**

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

September 23, 2010

RE: Wayne County
Upper Muskingum River Watershed
Baughman Twp.
BAU-TR-299-1.39 (Huprick Rd)

Mr. Roger K. Terrill
Wayne County Engineer
3151 West Old Lincoln Way
Wooster, OH 44691

Baughman Township Trustees
c/o Carolyn S. Baer, Clerk
Baughman Twp.
6669 Coal Bank Rd.
Marshallville, OH 44645

Mr. David Robinson
Terra Valley Excavating
P.O. Box 325
Bellville, OH 44813

Dear Mr. Terrill, Ms. Baer and Mr. Robinson:

On September 2, 2010, I performed a compliance inspection of storm water best management practices (BMPs) at the above referenced construction site. While on site, I met with Rod Richardson, project superintendent for Terra Valley Excavating. Our records indicate that storm water discharges from this project have been authorized under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04796*AG.

My inspection revealed the following:

Administrative Issues

- **Inspection Reports.** Mr. Richardson indicated that staff from Terra Valley Excavating has been conducting inspections as required by the NPDES permit, but their inspection reports were not available at the job site for review. Please provide me with a copy of the inspection reports for the month of September 2010. The NPDES permit requires a qualified person to inspect storm water controls once every 7 days and within 24 hours of a 0.5-inch or greater rainfall.

Controls During Construction

- **Check dams have not been constructed per the specification contained in the Storm Water Pollution Prevention Plan (SWP3).** Check dams have not been placed in the roadside ditch as specified in the SWP3, in particular, from STA 73+50 to STA

80+00. Please install check dams where shown in the SWP3. Further, the check dams that have been installed elsewhere are not constructed per the detail drawing contained in the SWP3. The detail drawing calls for rock in addition to silt fence. No rock has been installed and silt fence has not been extended across the entire width of the channel, trenched in and backfilled. Please construct check dams per the detail drawing contained in the SWP3.

- **Storm drain inlet protection has not been installed** on all drains as required by the SWP3. Please install inlet protection around all storm sewer grates to prevent sediment from entering the sewer system. Be sure to maintain inlet protection, and all other BMPs, in a functional condition. Sediment controls must be capable of ponding runoff and be built per specification in order to be considered functional.
- **Additional silt fence is required** along the east side of the project to protect off-site properties and adjacent drainage systems from sediment-laden runoff. Please install silt fence where indicated on the SWP3 and along the perimeters of disturbed areas if they differ from the locations shown on the SWP3. Further, silt fence should not be placed across the discharge from pipes. It is not intended to control concentrated flows of runoff. The silt fence placed across the northernmost piped discharge must be relocated so that it does not stretch across the pipe (see photos). Silt fence around the cul-de-sac has not been properly trenched and backfilled.
- **Staging area.** A staging area has been established south of the STA 80+00 on a property east of Huprick Road. We noted three deficiencies related to the staging area:
 - The location of the staging area is not indicated on the SWP3. The SWP3 must be amended to show areas designated for the storage or disposal of solid, sanitary and toxic wastes, including dumpster areas, areas designated for cement truck washout and vehicle fueling.
 - A rock construction entrance has not been provided to access the staging area. Rock construction entrances are needed to limit off-site tracking of sediment and ensure flow across the roadside ditch that vehicles must cross to access the staging area.
 - A drip tray under the spigots or secondary containment has not been provided for the drums and tanks that store fuel, motor oil and other chemicals used on the construction site. The NPDES permit requires the implementation of non-sediment pollutant controls.
- **Off-site spoil area.** Spoils (excess soil) from this project are being taken off-site onto an adjoining property. The SWP3 has not been revised to provide information about this off-site spoil area. Part III.G.1.n.i of the NPDES permit requires the SWP3 to contain a site map showing the limits of earth-disturbing activity on all associated off-site borrow or spoil areas that are not addressed by a separate NPDES permit. Further, BMPs must be provided for storm water discharges from areas of associated activities. We noted that silt fence has been installed to control sediment-laden discharges. Please be sure

Mr. Roger K. Terrill, Baughman Township Trustees, Mr. David Robinson
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to initiate permanent stabilization within 7 days of reaching final grade. Temporary stabilization of the spoil area will be required if it will remain idle for 21 days or longer. Temporary stabilization must be initiated within 7 days of last disturbance.

Post-Construction Controls

- A review of the SWP3 reveals that no post-construction storm water BMPs are planned for this project. **Please be aware that this is a violation of Part III.G.2.e of the NPDES permit.** The NPDES permit requires the installation of permanent storm water control practices to treat pollutants and prevent hydrologic impacts due to post-construction storm water discharges from all new development and redevelopment projects where 1 or more acre of land is disturbed. In addition to the standard BMPs listed in the NPDES permit, public roadway projects may also implement post-construction BMPs contained in Section 1115 of the Ohio Department of Transportation ***Location and Design Manual Volume 2***. Please identify the post-construction BMPs that will be provided for this project and amend the SWP3 accordingly. Further, please submit a long-term maintenance plan for post-construction BMPs as indicated in Part III.G.2.e of the NPDES permit.

You are directed to provide me with a letter of response indicating the actions you will take to correct the above-noted concerns. Please include any revisions to the SWP3 with your response. Your response should be received no **later than October 8, 2010**. Please be aware that failure to comply with the NPDES permit is a violation of Ohio Revised Code 6111.04 and 6111.07 and is punishable by fines.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: John Long, Shaffer Johnston Lichtenwalter & Associates Inc.
Rob Kastner, Wayne SWCD

BAU-TR 299-1.39 (HUPRICK RD)
Baughman Twp/Wayne Co.

Photos Taken: September 2, 2010
By: Dan Bogoevski, DSW, NEDO

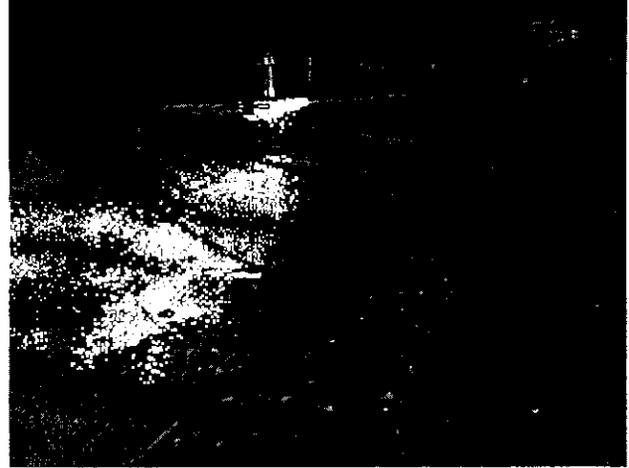


Fig 1 (LEFT). Check dams have not been installed in the roadside ditch as required by the SWP3.

Fig 2 (RIGHT). There is no inlet protection around some of the storm drains.



Fig 3 (LEFT). A rock construction entrance has not been provided to access the staging area.

Fig 4 (RIGHT). No secondary containment or other form of spill prevention has been provided around the fuel tank or these 55-gallon drums of motor oil.



Fig 5 (LEFT). This off-site spoil area is not shown on the SWP3.

Fig 6 (RIGHT). Although some silt fence has been placed at the toe of the spoil area, the silt fence must be extended to the north to protect what appears to be an ephemeral stream channel.

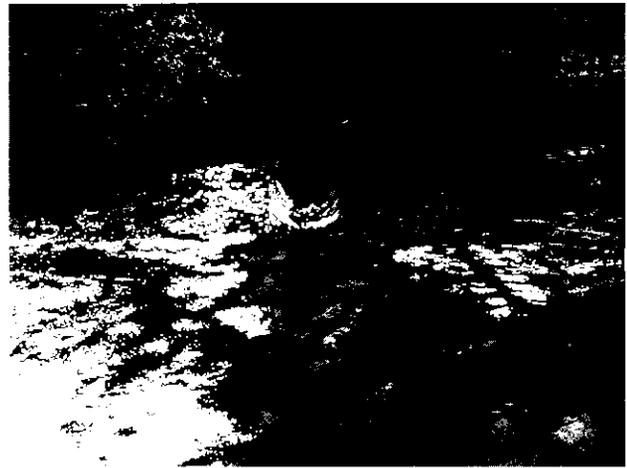
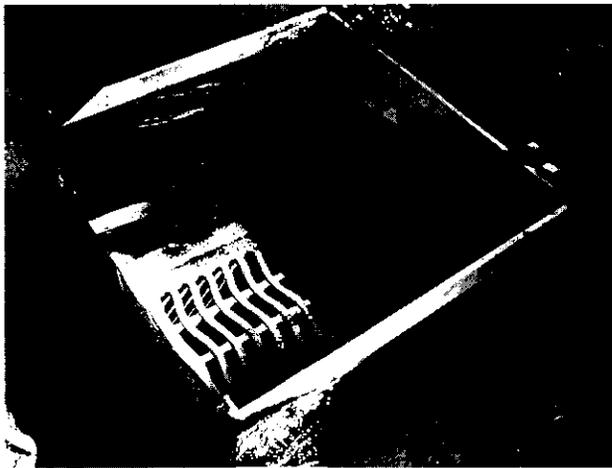


Fig 7 (LEFT). Storm drain inlet protection requires repair.

Fig 8 (RIGHT). No controls have been provided to prevent sediment from discharging from this flume during construction. This is the middle of three points of discharge on this project.

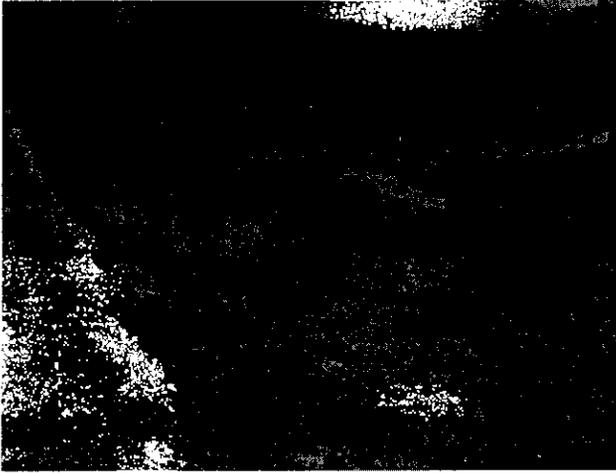


Fig 9 (LEFT). No silt fence has been installed along the east side of the project to prevent sediment-laden discharges onto adjacent properties.



Fig 10 (RIGHT). Silt fence has been placed across a pipe. Concentrated flows of runoff from the pipe have knocked down the silt fence. Silt fence should never be placed across a pipe. Silt fence should be brought up to meet the mouth of the pipe on one side, stop, then resume on the other side of the pipe.



Fig 11 (LEFT). Check dams have not been constructed per the specifications contained in the SWP3. The silt fence has not been trenched in and there is no rock.



Fig 12 (RIGHT). Silt fence installed around the cul-de-sac has not been trenched into the ground.