



**Environmental  
Protection Agency**

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

October 5, 2010

**RE: WAYNE COUNTY  
UPPER MUSKINGUM RIVER WATERSHED  
CITY OF WOOSTER  
TARTAN RIDGE SUBDIVISION**

Gerald Swartzentruber  
MSB Real Estate LLC  
P.O. Box 16  
Kidron, OH 44636

Dear Mr. Swartzentruber:

On September 28, 2010, Ohio EPA received the revised Storm Water Pollution Prevention Plan (SWP3) for the above referenced construction site. Our records indicate that storm water discharges from the Tartan Ridge Subdivision are regulated under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04948\*AG. The plan revisions were required to address the prohibition on the placement of structural sediment controls in waters of the State (see Part III.G.2.d.v of the NPDES permit). This review only encompasses Phase 1 of this project as depicted on Sheet 4 of 28 of the submitted material.

After reviewing the submittal, it must be noted that a complete SWP3 has not been submitted to Ohio EPA. As noted in Part III.A of the NPDES permit, the SWP3 shall be a comprehensive, stand-alone document which is not complete unless it contains the information required by Part III.G of the permit. An SWP3 must contain all of the information required to assure compliance with the NPDES permit and is typically a combination of narrative; construction drawings; pertinent calculations; required certification statements; site inspection checklists and reports; logs that document the progression of grading and application of temporary and permanent stabilization; and copies of the NPDES permit, Director's Authorization Letters and Notices of Intent. Guidance on developing a more complete SWP3 can be found at [www.epa.gov/npdes/stormwater/construction](http://www.epa.gov/npdes/stormwater/construction) under the link titled ***Developing Your Storm Water Pollution Prevention Plan: A Guide for Construction Sites***. Several sample plans are available there as well.

That said, I offer the following comments on the information submitted:

**General Comments**

- **Conflicting Standards.** The plan references two different standards for BMP design. Sheet 5 of 28 refers to ***Rainwater and Land Development***, while Sheet 28 of 28 references ODOT standards. Please be aware that there are differences between these two standards and this can lead to conflicts with plan implementation. Ohio EPA generally only accepts ODOT standards on public roadway projects. All other developments should follow the standards contained in ***Rainwater and Land***

**Development:** *Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (ODNR, 2006) and its subsequent updates. A copy of the **Rainwater** manual is available online at <http://www.dnr.state.oh.us/tabid/9186/default.aspx>.

- **No cover page.** The SWP3 does not contain a cover page or title providing the information required by Part III.G.1.I of the NPDES permit. Please provide this information.

### **Sediment and Erosion Control**

- **A different set of sediment controls must be used to control runoff once storm sewers become functional.** Installation of the storm sewer system will effectively cut off flow to all sediment ponds except Sediment Basin B. Because of the prohibition on placement of sediment controls in-stream, the storm sewer system does not discharge to a sediment pond. At that point, the primary sediment controls will consist of storm drain inlet protection, silt fence, individual lot BMPs and temporary stabilization. It may be best to depict this on the SWP3 by providing separate drawings, one showing BMPs to be installed before storm sewer installation and another showing those that should remain and be added once storm sewers become functional. The progression of required BMPs should also be reflected in the construction sequence on Sheet 5 of 28.
- **Information needed to verify sediment pond design.** Although a note under Site Description on Sheet 5 of 28 refers the reader to the "Stormwater Management Report" for calculations and delineations, this report was not submitted to Ohio EPA. Thus, Ohio EPA cannot verify that the sediment ponds have been designed per NPDES permit requirements. Please provide me with a summary of the pertinent information contained in the Stormwater Management Report so that this can be verified. At a minimum, Ohio EPA will need:
  - A delineation of drainage areas to the sediment ponds,
  - The elevations (bottom, top of sediment storage volume, top of dewatering volume, etc.) and storage volumes provided between these elevations for each sediment pond and how they compare to required volumes, and
  - A demonstration that the dewatering volume of the sediment basins will dewater in 48 hours to 7 days

We suggest that you provide a summary table and/or label the various elevations on the detail drawings titled Sediment Basins and Sediment Trap on Sheet 5 of 28 to provide the pertinent information.

- **Storm Drain Inlet Protection.** Although the Legend on Sheet 4 of 28 includes Inlet Protection, it is not indicated anywhere on the site plan itself. Further, no detail drawings have been provided for the construction of storm drain inlet protection. Please indicate the locations where inlet protection will be provided and provide a detail drawing of its construction. Please note that both yard- and curb-type inlet protection may be required during the course of construction.
- **Diversion Detail.** A detail drawing for diversions has not been provided. Please add to the plan.
- **Individual Lot Detail.** A detail drawing of an individual building lot has not been provided. Part III.G.1.i of the NPDES permit requires a detail drawing of a typical individual lot showing standard individual lot erosion and sediment control practices.

#### **Post-Construction Water Quality Management**

- **No post-construction provided for rear yard runoff.** It does not appear that post-construction water quality has been provided for all 13.8 acres associated with Phase I of this development. In particular, the backs of lots 9538 through 9542 and lots 9521 through 9530 drain directly toward streams rather through the wet extended detention basin. Please identify the post-construction BMPs that will be implemented to control runoff from areas of the site not draining to the wet extended detention basin. Note that Part III.G.2.e of the NPDES permit does allow Ohio EPA to consider the use of non-structural post-construction BMPs such as riparian setbacks for sheet flow from perimeter areas. Please refer to Section 2.5 of the *Rainwater* manual titled Stream Setback Area to determine the expected width of the riparian setback area. Please note that taking this approach requires approval from Ohio EPA. Ohio EPA will expect you to ensure that riparian setbacks remain in perpetuity. Please consult with legal counsel to determine how best this can be achieved within this subdivision.
- **Information needed to verify wet extended detention basin design.** As previously stated, a summary of pertinent information from the Stormwater Management Report was not provided to Ohio EPA. To verify that the wet extended detention basin meets NPDES requirements, Ohio EPA needs the following information:
  - Delineation of the post-construction drainage area to the wet extended detention basin (i.e., retention pond),
  - A calculation of the Water Quality Volume (WQv),
  - Stage-storage table for all pertinent elevations associated with Catch Basin #55 Outlet Control Structure for the wet extended detention basin, and
  - A calculation of the required orifice size to ensure dewatering of the extended detention volume in the required target draindown time.

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Please add this information to the plan.

- **No long-term maintenance plan for post-construction BMPs.** The submittal did not include a long-term maintenance plan for post-construction BMPs. Part III.G.2.e of the NPDES permit requires a long-term maintenance plan for all post-construction BMPs. The plan must be a stand-alone document and contain (1) a designated entity for storm water inspection and maintenance responsibilities, (2) the routine and non-routine maintenance tasks to be undertaken, (3) a schedule for inspection and maintenance, (4) any necessary legally binding maintenance easements and agreements, and (5) a map showing the location of post-construction BMPs and their access and maintenance easements. Please submit a long-term maintenance plan for all post-construction BMPs you intend to implement for Phase 1.
- **Verification of Army Corps Permit.** This plan calls for 280 feet of impact to an ephemeral stream channel. Please provide me with a copy of the permit obtained from the US Army Corps of Engineers for this impact. The SWP3 will not be considered complete until the appropriate permit has been obtained.

Please review my comments with the project engineer and provide me with a response **no later than October 26, 2010**. Include all amendments made to the SWP3 as a result of this review. Ohio EPA will not consider the SWP3 to be in compliance with the NPDES permit until these comments are addressed. 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:cl

cc: John Long, Shaffer, Johnston Lichtenwalter & Associates Inc.  
Joel Montgomery, Engineer, City of Wooster  
Bob Breneman, Mayor, City of Wooster  
Amy Demlow, Attorney, CCJ Ltd.  
Lauren McEleney, DSW, NEDO  
Megan Oberst, Army Corps of Engineers, Huntington District