



State of Ohio Environmental Protection Agency

**Northwest District Office**

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korteski, Director

Re: Hancock County  
Forest Edge  
Construction  
Storm Water

July 8, 2009

Forest Edge, LLC  
Mr. Jeff Phillips  
229 Huber Village Boulevard., Suite 100  
Westerville, Ohio 43081

Dear Mr. Phillips:

On May 27, 2009, Lynette Hablitzel and I inspected Forest Edge on the north side of Rawson, west side of Main Street, Rawson. The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity (Construction General Permit), Facility ID No. 2GC02215. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Ohio EPA has no record of other permittees for this site. Mr. David Kiehborth, of Woda Group, was present to provide information on the project.

As a result of the inspection, I have the following comments:

1. At the time of inspection, the site was active. Waterlines, sanitary and storm sewers had been installed. The main road had been cut, but the stone base had not been laid. We were told by Mr. Kiehborth that the stone was going to be placed on the main road on May 28, 2009. Seven houses were sided and roofed and the foundation blocks were laid for two more.
2. A Storm Water Pollution Prevention Plan (SWP3) had been developed for the site and was available. A general overview indicated some deficiencies, such as there was no mention of a sediment pond. We were told by Mr. Kiehborth that the engineer changed the pond but the new drawings were not on site. This information is a required component of the site's SWP3. *This is a violation of Part III.G. of the permit.*
3. Inspection logs were inadequate. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. There was no documentation of rain events and their related inspections. Mr. Kiehborth stated that he used Findlay Airport's rain reports for rainfall amounts. We recommend installing a rain gauge on site to properly measure the amount of rainfall at the construction site. Inspection reports did not include observations. The inspector's qualifications were not listed. Inspections must include: disturbed areas, material storage areas, all sediment and erosion control measures, discharge locations, and all vehicle access points.



Records must include: inspector name and qualifications, inspection date, observations, a certification that the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. *This is a violation of Part III. G.2.i. of the permit.* Based on the poor condition of the silt fence and Mr. Kiehorth's lack of knowledge about the permit requirements, it does not appear that he has sufficient experience to be a qualified inspector. The permittee is required to assign qualified inspection personnel. Either additional training must be provided or another person meeting the requirements must be used. Please see Part VII. T. for the definition of "qualified inspection personnel".

4. A proper construction entrance was needed on the entrance by the construction trailer, where vehicles had accessed the site. This entrance needs to be redressed with new stone. *This is a violation of Part III.G.2.g.ii.*
5. A detention pond was located on the northeast corner of the site. Due to the presence of concentrated flow, this structure is required to meet the design requirements for a sediment settling pond until construction activities have ended and a perennial vegetative cover of 70% density has been achieved over the tributary area. Without reviewing the SWP3, I am unable to determine if the pond meets the requirements of the permit. *Permit Requires:* Sediment settling ponds must meet the following criteria: a dewatering volume with a maximum depth of 5 feet, sized at 67 cubic yards per drainage acre, and for drainage areas of 5 acres or more: a minimum 48 hour dewatering time; a sediment storage volume of 1000 cubic feet per disturbed acre provided below the dewatering zone; and at least a 2:1 length to width ratio between the nearest inlet and the outlet. *Please see Part III.G.2.d.ii. of the permit.* It will be necessary to modify the pond, if it does not already meet all of these requirements.
6. Rills were present on the large soil stockpiles on both the north and south sides of the property. Based on the weathered soil, weed growth, and conversations with Mr. Kiehorth, it appears that these stockpiles have remained idle for several weeks. *Permit Requires:* Portions of the construction site which will be inactive for more than 21 days must have temporary stabilization initiated within the first seven. Permanent stabilization is required within 7 days on any portion of the site that has reached final grade or will be idle for longer than 1 year. Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching and matting, must still be used and maintained until more permanent methods can be implemented. *Failure to do so is a violation of Part III.G.2.b.i. of your permit.* The stockpile is large enough to apply at least temporary stabilization on portions of it, while maintaining a working face if that is necessary.

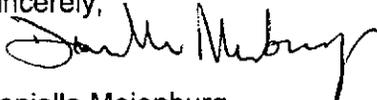
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Also, while the banks of the pond had been recently graded, they must be stabilized. We were told by Mr. Kiehorth that the banks were graded during the last week of May.

7. Proper inlet protection was not installed on the catch basin on the east side of the property at Main Street. Straw bales are not an accepted sediment control. *Permit Requires:* All erosion and sediment control practices used to meet the conditions of this permit should meet the standards and specifications of the current edition of Ohio's *Rainwater and Land Development Manual* (ODNR) or other standards acceptable to Ohio EPA. *This is a violation of Part III.G.2. of the permit.* Proper inlet protection must be installed unless these inlets drain to a sediment settling pond.
8. The silt fence was not entrenched along all sides of the property. The silt fence must be entrenched 4-6 inches. This is an installation error. *This is a violation of Part III.G.2.h. of the permit.*
9. I observed torn and sagging filter fabric in several locations on all sides of the property. There were also several areas where the filter fabric was off of the stakes and blowing in the wind. *Permit Requires:* All control practices shall be maintained and repaired as needed to assure continued performance of their intended function. *This is a violation of Part III.G.2.h. of the permit.* For more information on the correct installation and maintenance techniques for these practices, please see the *Rainwater and Land Development Manual*.
10. There was a trench cut directing water towards the silt fence and leaving the property on the south side. *Permit Requires:* Sheet flow runoff from denuded areas shall be intercepted by silt fence or diversions to protect adjacent properties. Trench or ground water containing sediment must pass through a sediment settling pond or other equally effective sediment control device prior to being discharged from the site. *This is a violation of Part III.G.2.d.iii. of your permit.*

Within 10 days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions. If there are any questions, please contact me at (419) 373-3006.

Sincerely,



Danielle Meienburg  
Division of Surface Water  
Storm Water Program

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Follow up file  
Cory Miracle, Village of Rawson