



2GC0206420090701

WYANDOT GOTTFRIED

2GC02064 2009/07/01

MEIENBURG,
DANIELLE

UPPER SANDUS



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Wyandot County
Gottfried
Construction
Storm Water

July 1, 2009

Mr. David Halverstadt
ES Wagner Company
840 Patchen Road
Oregon, Ohio 43616

Dear Mr. Halverstadt:

On June 11, 2009, I inspected the Gottfried Borrow Pit east of Township Road 103 and north of County Highway 330, Salem Township, Wyandot County. The purpose of my 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, Facility ID No. 2GC02064. 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.

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

1. At the time of inspection, the site was inactive. There was equipment present. There were several soil stockpiles near the equipment by the drive. There also appeared to be fill dirt placed in the ditch along County Highway 330. I observed grass seed and mulch on the banks of the pond. The grass appeared to have recently germinated and a light cover of vegetation was present. Due to the absence of personnel or a construction trailer, the Storm Water Pollution Prevention Plans (SWP3) and inspection logs were not available for review.
2. No sediment controls were in use. *Permit Requires:* Structural practices shall be used on all sites remaining disturbed for more than 14 days. They shall be implemented prior to grading and within seven days from the start of grubbing. They must remain functional until the upslope area is restabilized. *This is a violation of Part III.G.2.d. of the permit.*

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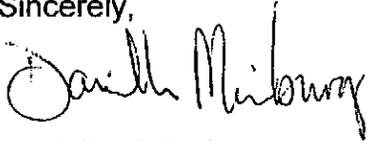
3. Several soil stockpiles were present. *Permit Requires:* Portions of the construction site which will be inactive for more than 21 days must have temporary stabilization initiated within the first seven. Permanent stabilization is required within seven (7) days on any portion of the site that has reached final grade or will be idle for longer than one (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. Please see Part III.G.2.b.i. of your permit.
4. The banks of the pond had rills preventing the grass growth. The rills must be eliminated and those areas reseeded. This may require backfilling with soil and the use of matting.
5. Based on our June 12, 2009, phone conversation, I understand the property owner has taken over construction activities. Please send me the site map portion of the SWP3, which must include pre and post construction contours, the location of all structures (including outfalls and drainage ways) and utilities, and the limits of earth disturbance. Please be aware that you remain responsible for compliance with all permit conditions, including the routine inspections, until construction activities have been completed and a 70% density of perennial vegetative cover has been established on all bare areas or until permit coverage has been transferred.
6. The filling of the ditch may require additional permit coverage. If this earthwork was not addressed in the original SWP3 and Notice of Intent (NOI) application, additional NPDES permit coverage must be obtained. Such coverage is required for construction activities that will collectively result in the disturbance of an acre or more when considering the larger total common plan of development or sale.

Also, the placement of fill into a surface water is often regulated under the Clean Water Act (CWA) Sections 404 and 401 or Ohio Revised Code 6111.02. Please be aware that the SWP3 must demonstrate compliance with these laws. When a project contains surface waters of the State, the Construction General Permit requires the permittee to contact the Army Corps of Engineers (ACOE). *Please see Part III.G.2.f. of the permit.* Please provide documentation showing you have contacted the ACOE or contact Brian Swartz, ACOE, at 419-898-3491, and Ben Smith, Ohio EPA Section 401/Isolated Wetlands Program, at 419-373-3027, about how these regulations may pertain to your activities.

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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

/llr

pc: ~~DSW-NWDO-File~~
James A. Morris P.E., P.S.
Jeff Hohman, Wyandot Conty SWCD
Brian Swartz, U.S. Army Corps of Engineers