



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

August 25, 2009

Re: Athens County
Columbus Rd Development Project
Storm Water Construction Activity
Notice of Violation
Permit Number OGC00518*AG

Thomas Parfitt
82 Columbus Road
Athens, OH 45701

Dear Mr. Parfitt:

On July 7, 2009, I visited your site on Columbus Road in Athens, OH. The purpose of the inspection was to determine the compliance status of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following areas need to be addressed:

Permit Coverage

1. In accordance with Part III.G.2.e. of the permit, all sites over five acres must have post-construction BMPs capable of detaining runoff for the protection of stream channels, stream erosion control, and improved water quality. Such BMPs may include a water quality basin. **The concrete water quality structure on the outflow has fallen into the sediment basin (see attached photograph) and needs to be repaired immediately.**
2. Part III.G.2.b.i. (Table 2) of the permit requires that any area that will lie dormant for more than 21 days, but less than a year, be stabilized within seven days of the most recent disturbance. **A large portion of the site lacks sufficient vegetative cover to prevent sediment erosion. These areas need vegetative stabilization immediately (see photos).**
3. Part III.G.2.g.iv of the permit states that there will be no discharge of turbid waters resulting from de-watering activities to waters of the state. Sediment laden water must be treated by passage through sediment control devices before it may be discharged from the construction site. **The outflow of the sediment basin does not provide adequate treatment of sediment laden storm water. The original storm water plan on this site did not discharge into waters of**

the state. Currently, the site is discharging into the Hocking River. The outflow must be redesigned to be in compliance with the NPDES general permit, and the discharge riser pipe requirements set forth in the ODNR rainwater and land development manual.

4. Part III.G.2.b.ii of the permit states that operators shall stabilize channels and outfalls to prevent erosive flows. **There are erosive flows over several areas of the site. These channels need to be stabilized immediately. Stabilizing techniques may include seeding, mulching, erosion control matting, sodding, rip rap, or rock check dams.**

5. Part III. A. of the permit states that an operator seeking coverage under the NPDES permit for their construction site must develop a storm water pollution prevention plan (SWP3). The permit requires the Storm Water Pollution Prevention Plan to include a description of every sediment and erosion control that will be utilized on your construction site throughout the course of the project (Part III.G.2). The SWP3 must outline the proper use of the control; it should describe at what time during the project the control(s) will be implemented; and which contractor is responsible for the construction and maintenance of the control(s). **Please submit your SWP3 plans for review.**

Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned *Rainwater and Land Development* manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Within fourteen (14) days of receipt of this letter, please submit to me at this office a written notification as to actions taken or proposed to eliminate violations of the permit. Your response should include the dates, either actual or proposed, for the completion of the actions. If you have any questions, please contact Aaron Wolfe at (740) 380-5277 or me at (740) 380-5226.

Sincerely,



Michael See
Storm Water Section
Division of Surface Water

MS/mlm