OhioEPA
State of Ohio Environmental Protection Agency

Southeast District Office

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

September 10, 2010

Re: Muskingum County
Dow Cameron Enterprises
Storm Water Construction
Notice of Violation
0GC01365*AG

Mr. Dow Cameron
1149 Park View Drive
Zanesville, Ohio 43701

Dear Mr. Cameron:

On August 26, 2010, I visited your site on Adamsville Road. The purpose of the inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of stormwater 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 issues need addressed:

1. Part III.G.2.b. of the permit states:

Table 1: Permanent Stabilization

Area requiring permanent stabilization	Time frame to apply erosion controls
Any areas that will lie dormant for one year or more	Within seven days of the most recent disturbance
Any areas within 50 feet of a surface water of the State and at final grade	Within two days of reaching final grade
Any other areas at final grade	Within seven days of reaching final grade within that area

Table 2: Temporary Stabilization

Area requiring temporary stabilization	Time frame to apply erosion controls
Any disturbed areas within 50 feet of a surface water of the State and not at final grade	Within two days of the most recent disturbance if the area will remain idle for more than 21 days
For all construction activities, any disturbed areas that will be dormant for more than 21 days but less than one year, and not within 50 feet of a surface water of the State	Within seven days of the most recent disturbance within the area For residential subdivisions, disturbed areas must be stabilized at least seven days prior to transfer of permit coverage for the individual lot(s).
Disturbed areas that will be idle over winter	Prior to the onset of winter weather

Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed.

As you proceed through phases of construction, stabilize all barren areas as needed to comply with the above stabilization charts.

2. Part III.G.2.d.iii of the permit requires silt fence to be installed on a level contour. Silt fence should be utilized in accordance with the specification of the *Rainwater and Land Development* manual.

Apply silt fencing around the large soil stock piles near the road.

3. Part III.G.2.d.iv. of the permit states that sediment control practices must minimize the amount of sediment entering an active storm drain system, unless the system drains to a sediment settling pond.

Install inlet protection around the large drain beside the driveway.

4. Part III.G.2.d.ii of the permit requires the following:

Sediment settling ponds: A sediment settling pond is required for any one of the following conditions:

- concentrated storm water runoff (e.g., storm sewer or ditch);
- runoff from drainage areas, which exceed the design capacity of silt fence or other sediment barriers;
- runoff from drainage areas that exceed the design capacity of inlet protection; or
- runoff from common drainage locations with 10 or more acres of disturbed land.

The permittee may request approval from Ohio EPA to use alternative controls if the permittee can demonstrate the alternative controls are equivalent in effectiveness to a sediment settling pond.

The sediment settling pond volume consists of both a dewatering zone and a sediment storage zone. The volume of the dewatering zone shall be a minimum of 1800 cubic feet (ft^3) per acre of drainage (67 yd^3/acre) with a minimum 48-hour drain time for sediment basins serving a drainage area over 5 acres. The volume of the sediment storage zone shall be calculated by one of the following methods: Method 1: The volume of the sediment storage zone shall be 1000 ft^3 per disturbed acre within the watershed of the basin. OR Method 2: The volume of the sediment storage zone shall be the volume necessary to store the sediment as calculated with RUSLE or a similar generally accepted erosion prediction model. The accumulated sediment shall be removed from the sediment storage zone once it's full. When determining the total contributing drainage area, off-site areas and areas which remain undisturbed by construction activity must be included unless runoff from these areas is diverted away from

the sediment settling pond and is not co-mingled with sediment-laden runoff. The depth of the dewatering zone must be less than or equal to five feet. The configuration between inlets and the outlet of the basin must provide at least two units of length for each one unit of width (> 2:1 length:width ratio), however, a length to width ratio of 4:1 is recommended. When designing sediment settling ponds, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin and alternative sediment controls must be used where site limitations would preclude a safe design. The use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal is encouraged.

Clean out all sediment ponds on site as necessary to ensure maximum sediment removal.

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 me at (740) 380-5418 or Aaron Wolfe at (740) 380-5277.

Sincerely,

Chris Stephan
Storm Water Section
Division of Surface Water

CCS/dh