



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

August 11, 2011

Re: Perry County
Shawnee Waterworks
Storm Water Construction Activity
OGC01382*AG

Mr. Roger Hutchinson
Village of Shawnee
P.O. Box 15
Shawnee, Ohio 43782

Dear Mr. Hutchinson:

On July 7, 2011, I visited the site located on East Main Street that had a construction stormwater permit with the Ohio EPA. The purpose of my inspection was to determine the compliance 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.

Violators of ORC 6111 may be fined up to \$10,000 per day of violation. In addition, federal law allows for third party lawsuits for failure to comply with terms and conditions of NPDES permits.

At the time of my inspection, the site was inactive and it appeared that construction activities had been completed. During the inspection I noticed that small portions of the site remained barren.

1. Part III.G.2.b.i (Table 1) of the permit requires that permanent stabilization be applied to areas at final grade within 7 days of the last disturbance. Permanent stabilization is defined as the establishment of permanent vegetative cover, decorative landscape mulching, matting, sod, rip rap and landscaping techniques to provide permanent erosion control.

Assess the entire site and stabilize all barren areas by applying seed and straw. Due to the current weather conditions I recommend allowing the grass to become well established into the fall before the first mowing.

Once the above stated conditions have been met the site will be within full compliance of the permit. In accordance with the NPDES permit, a Notice of Termination (NOT) must be submitted to the Ohio Environmental Protection Agency (Ohio EPA) to release you from the terms and conditions of this permit.

An NOT may be submitted to Ohio EPA if the following requirements have been fulfilled:

1. A perennial vegetative cover (or equivalent means of stabilization) has been established over 100% of the surface area disturbed during construction. The vegetative growth must be at a growth density of 70%.
2. All temporary sediment and erosion controls have been removed and properly disposed.
3. All sediment has been permanently stabilized to prevent further erosion.
4. Construction activity at the site has ceased.
5. All post construction requirements have been met.

It appears that you site meets the above criteria. If you agree, please submit an NOT within 45 days of the completion of construction activities. Failure to submit an NOT is a violation of the permit requirements and may affect your ability to obtain a NPDES permit in the future.

Please send the completed NOT to the following address:

Ohio Environmental Protection Agency
Division of Surface Water
Storm Water Section
P.O. Box 1049
Columbus, Ohio 43216-1049

If there are any questions, please contact Aaron Wolfe at (740) 380-5277 or me at (740) 380-5418.

Sincerely,



Chris Stephan
Storm Water Section
Division of Surface Water

CSS/dh

Enclosure: Notice of Termination