



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korteski, Director

September 17, 2010

Re: Tuscarawas County
Reiser Avenue Pump Station
Storm Water Construction Activity
Notice of Violation
0GC01355*AG

Mr. Jim Zucal
City of New Philadelphia
150 E. High Avenue
New Philadelphia, Ohio 44663

Dear Mr. Zucal:

On July 28, 2010, I visited your site on Reiser Avenue in New Philadelphia. 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 areas need to be 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 |

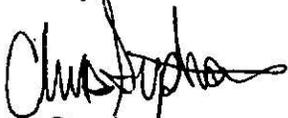
Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed.

At the time of my inspection the site still appeared to be under construction. Upon completion of the project stabilize all areas including any soil stock piles within 7 days of completion.

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