



**Environmental
Protection Agency**

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

September 2, 2011

Re: Tuscarawas County
Hospice of Tuscarawas County
Storm Water Construction Activity
Notice of Violation
0GC01093*AG

Mrs. Janie Jones
Hospice of Tuscarawas County
301 W. 3rd Street
Dover, Ohio 44622

Dear Mrs. Jones:

On July 21, 2011, I visited your site on Commercial Avenue and spoke with Matt Dinsmore. 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. 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. The following areas need to be addressed:

Permit Coverage:

1. Stabilization

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.

Southeast District Office
2195 Front Street
Logan, OH 43138-8637

740 | 385 8501
740 | 385 6490 (fax)
www.epa.ohio.gov

Apply stabilization to the sediment pond and all soil stockpiles by applying seed and straw.

2. Inlet Protection

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.

Assess all inlet protection practices on site. Add and repair protection as needed.

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

c: Matt Dinsmore, Simonson Construction Service