



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

June 12, 2012

RE: WAYNE COUNTY
CITY OF ORRVILLE
CONSTRUCTION STORM WATER
SCOTTS COMPANY LLC – HYPONEX CORP
(aka PRE-PACK AREA)
Permit No. 3GC04566*AG

Josh Siler
Scotts Company LLC
14101 Industrial Parkway
Marysville, OH 43041

Dear Mr. Siler:

Ohio EPA has received your response to my storm water inspection conducted April 25, 2012, regarding the above referenced construction project. Our records indicate that storm water discharges from this project are authorized under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04566*AG.

My review of your response indicates that most responses are adequate. However, please be aware that plan review by the City of Orrville may not have included verification of Ohio EPA post-construction water quality requirements. The City of Orrville is not obligated to verify compliance with Ohio EPA requirements through its local plan review process. Thus, Scotts cannot rely upon the local plan review process to ensure compliance with NPDES permit requirements.

That said, I still have questions or concerns regarding the following matters:

- **Grading of Permanent Pond** - The plan approved by the City of Orrville indicates that the detention basin served as a sediment basin during the construction process. Construction is now complete. The approved plan indicates that the temporary sediment storage zone is to be filled in once construction is completed so as to establish a dry extended detention basin to control post-construction runoff. Your response indicated that Scotts will "restore the drainage system to its original design".

Please be aware that the original design does not appear to comply with requirements of the NPDES permit. In particular, the NPDES permit requires dry

extended detention ponds to provide forebays around storm water inlets and a micropool around the pond outlet, each sized at 10% (minimum) of the Water Quality Volume (WQv). If your intent is to grade the basin as indicated in the plan approved by the City of Orrville, the plan does not provide forebays or a micropool. Possible courses of action to address this concern include, but are not limited to: (a) amend the pond design to provide forebay(s) and a micropool at appropriate locations and of appropriate size, or (b) amend the design to provide either a wet extended detention pond or constructed wetland as your post-construction water quality best management practice rather than a dry extended detention basin.

- **Outlet of Permanent Pond** – To address the above concern, the permanent riser pipe intended to serve as the drawdown structure for the WQv will likely need to be revised. See page 32 of the enclosed specifications for illustrations on how the outlet structure should be modified. Further, the WQv orifice sizing may change. Although structures for dry extended detention basins must be designed to drain the WQv in 48 hours, structures for wet extended detention basins and constructed wetlands have different design requirements. Structures for wet extended detention basins are to drawdown 0.75*WQv in 24 hours, while structures for constructed wetlands are to drawdown the full WQv in 24 hours. Regardless of pond type, outlet structures must ensure that no more than ½ the extended detention volume, i.e., 0.75*WQv or full WQv, as appropriate, is drawn down in 1/3 the drawdown time.

Please refer to the enclosed specifications from *Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (Ohio Department of Natural Resources, 2006) regarding Water Quality Ponds when reviewing the existing pond design and how it must be amended to meet NPDES permit requirements. Updates to these specifications are available on-line at <http://www.dnr.state.oh.us/tabid/9186/Default.aspx>. Further, please consult with the project engineer (Briggs Engineering) and the City of Orrville before proceeding with corrective action. Plan amendments may have to be approved by the City.

Please review my comments and amend the design of the permanent pond for the Pre-Pack Area as needed to comply with the NPDES permit. Provide me with a letter of response, including detail drawings and supporting calculations, indicating how you intend to address my concerns. Your response should include your intended timeframe for completion of corrective action.

Finally, please note that information included in your response regarding possible infill of wetland areas was forwarded to the United States Army Corps of Engineers and the Ohio EPA Section 401 program. If needed, they will be providing follow-up on this matter.

CITY OF ORRVILLE
JUNE 13, 2012
PAGE 3 OF 3

If you have any questions, please contact me at (330) 963-1145 or via e-mail at dan.bogoevski@epa.ohio.gov.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/cs

cc: Lynn Snyder, Engineer, City of Orrville
David Handwerk, Mayor, City of Orrville
Steve Wheeler, Public Service and Safety Director, City of Orrville
Mike Henkle, The Scotts Co, LLC
Gayle Fratto, The Scotts Co, LLC
Bill Lechner, The Scotts Co, LLC

ec: Lauren McEleney, Section 401 Program, Ohio EPA, DSW, CO
Megan Oberst, US Army Corps of Engineers, Huntington District