



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

August 7, 2012

Re: Scioto County
Clay Local School District
Storm Water Construction Activity
Notice of Violation
0GC01276*AG

Mr. Tony Mantell
Clay Local School District
44 Clay High Street
Portsmouth, Ohio 45662

Dear Mr. Mantell:

On July 25, 2012, I inspected the Clay Local School District Project in Scioto County. The purpose of the inspection was to determine the compliance status of the sites with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspections were conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following areas need to be addressed:

Part III.G.2.b.i. of the permit requires that disturbed areas must be stabilized as specified in the following text below. Permanent and temporary stabilization are defined in Part VII of the Permit.

Permanent Stabilization

Any areas that will lie dormant for one year or more must be stabilized within seven days of the most recent disturbance.

Any other areas at final grade must be stabilized within seven days of reaching final grade within that area.

Temporary Stabilization

Any areas within 50 feet of a surface water of the State and at final grade must be stabilized within two days of reaching final grade 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 must be stabilized within seven days of the most recent disturbance within the area.

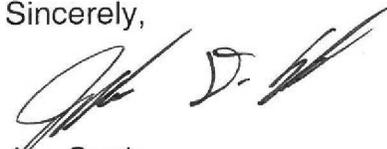
Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed.

PART VII.H of the permit states. "Final stabilization" means that either: 1. All soil disturbing activities at the site are complete and a uniform perennial vegetative cover (e.g., evenly distributed, without large bare areas) with a density of at least 70 percent cover for the area has been established on all unpaved areas and areas not covered by permanent structures or equivalent stabilization measures (such as the use of landscape mulches, rip-rap, gabions or geotextiles) have been employed. In addition, all temporary erosion and sediment control practices are removed and disposed of and all trapped sediment is permanently stabilized to prevent further erosion;

At the time of inspection the ditch running along the primary entrance of the school was not stabilized. A recent rain event had undercut and/or washed out the straw bales in place. We recommend utilizing rip rap in accordance with ODNR's Rainwater and Land Development Manual to achieve final stabilization.

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) 380-5277.

Sincerely,



Joe Cook
Storm Water Coordinator
Division of Surface Water

JC/dh