



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Mercer County
Prairie Creek Treatment Train Site
Construction
Storm Water

August 24, 2012

Mr. Jared Ebbing
Mercer County Sanitary Department
220 West Livingston Street Room A201
Celina, Ohio 45822

Dear Mr. Ebbing:

On June 21, 2012, Bernard Weik and I inspected Prairie Creek Treatment Train Site at Harrison Road and State Route 219. The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2GC02984*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. No one was present at the time of the inspection to provide information on the project.

Ohio EPA has not received a Co-Permittee Notice of Intent (NOI) application for this project. This form is used by construction site operators, as defined in Part VII.O. of the Construction General Permit (or CGP), to become co-permittees with the initial permittee of a construction site. Please note that Part II.A. of the CGP **requires all operators at a construction site to become co-permittees**. Copies of the Co-Permittee NOI may be downloaded from our website at <http://epa.ohio.gov/dsw/storm/stormform.aspx>.

As a result of the inspection, I have the following comments:

1. At the time of the inspection, construction was inactive and there were no earth moving machines on site. A series of ponds were in place, including two geotubes and two gravel beds. Approximately 12.5 acres were disturbed. Due to the absence of personnel or a construction trailer, the Storm Water Pollution Protection Plan (SWP3) and inspection logs were not available for review.
2. All temporary or permanent stabilization has not been established. Long term erosion was evident by the weeds and rills present. The presence of rills and the amount of weed growth indicate the time frame for stabilization may have been exceeded.

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Permit Requires: Portions of the construction site that will be inactive for more than 21 days must have temporary stabilization initiated within the first seven. Temporary stabilization is required prior to the onset of winter weather for ground that will be idle over winter. Permanent stabilization is required within seven days on any portion of the site that has reached final grade or will be idle for longer than one year. Soil stabilization practices shall be initiated within two days on inactive, barren areas within 50 feet of a stream. In addition, disturbed areas in residential subdivisions must be stabilized at least seven days prior to transfer of permit coverage for the individual lot(s). Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching and matting, must still be used and maintained until more permanent methods can be implemented. *This is a violation of Part III.G.2.b.i. of your permit.* The site will need to be seeded with mulching as soon as possible.

Within 10 days of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions.

If there are any questions, please contact Patricia Tebbe at (419) 373-3016.

Sincerely,



for Jessica Heitman
Division of Surface Water
Storm Water Program

/jlm

ec: Tracking