



Environmental Protection Agency

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

August 27, 2012

Re: Noble County
Caldwell Slip Remediation
Storm Water Construction Activity
Notice of Violation
OGC01659*AG

Ms. Judith Box
East Ohio Gas Co.
320 Springside Drive, Suite 320
Akron, Ohio 44333

Dear Ms. Box:

On August 9, 2012, I visited your site named the Caldwell slip remediation site. The purpose of the visit was to provide technical assistance and determine if violations noted on June 25, 2012 by Ohio EPA interns were accurate. This NOV letter serves to replace the NOV letter dated July 27, 2012. After reconsideration of the case I have the following comments:

Ohio EPA interns Sara Peters and Joe Cook inspected the inactive site on June 25, 2012 and cited violations on their interpretations of site conditions. The meeting on August 9, 2012 provided new information concerning site conditions as they existed on June 25, 2012. After receiving new information about the site and viewing the site I feel the following violation of the permit is more appropriate than what was cited in the previous letter.

Part III.G.2.d.iii of the permit requires silt fence to be installed on a level contour. Silt fence should be utilized in accordance with the specification of the Rainwater and Land Development manual.

- iii. Silt Fence and Diversions. Sheet flow runoff from denuded areas shall be intercepted by silt fence or diversions to protect adjacent properties and water resources from sediment transported via sheet flow. Where intended to provide sediment control, silt fence shall be placed on a level contour downslope of the disturbed area. This permit does not preclude the use of other sediment barriers designed to control sheet flow runoff. The relationship between the maximum drainage area to silt fence for a particular slope range is shown in the table below.

Maximum drainage area (in acres) to 100 linear feet of silt fence	Range of slope for a particular drainage area (in percent)
0.5	> 2%
0.25	< 2% but < 20%
0.125	> 20% but < 50%

Placing silt fence in a parallel series does not extend the size of the drainage area. Storm water diversion practices shall be used to keep runoff away from disturbed areas and steep slopes where practicable. Such devices, which include swales, dikes or berms, may receive storm water runoff from areas up to 10 acres.

Portions of this project consist of large drainage areas and severe slopes. A small sediment pond, trap, or sump would be a more appropriate form of control for areas of this type. The contractor began addressing this issue by installing a sediment trap on the day of the meeting.

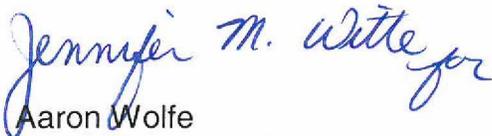
Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned *Rainwater and Land Development* manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Ohio EPA would like to schedule a meeting for each general construction storm water permit inspection that is completed but current staffing levels and work load make that difficult.

During the meeting it became evident that standard protocol for your company concerning the implementation of storm water controls may not meet the intent of our general construction storm water permit in all cases. I can provide technical assistance by reviewing your policies related to the implementation of storm water controls and provide feedback to you on any items that may not meet permit requirements.

Within thirty (30) 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 Aaron Wolfe at (740) 380-5277.

Sincerely,



Aaron Wolfe
Storm Water Section
Division of Surface Water

AW/dh