



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

July 2, 2013

**Re:** Scioto County  
 New Boston School Building K-12  
 Storm Water Construction Activity  
 Notice of Violation  
 Permit #0GC01524\*AG

Mr. Mike Staggs  
 New Boston Local School District  
 1 Glenwood Tiger Trail  
 New Boston, Ohio 45662

Dear Mr. Staggs:

On June 12, 2013, I visited your site on Glenwood Tiger Trail. 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. I have the following comments:

**Permit Coverage:**

Part III.G.2.b.i. (Table 2) of the permit requires any areas that will remain idle over the winter be stabilized prior to the onset of winter.

Part III.G.2.b.i. (Table 2) of the permit requires that any area that will lie dormant for more than 21 days, but less than a year be stabilized within 7 days of the most recent disturbance.

Part III.G.2.b.i. (Table 2) of the permit requires that any area within 50 feet of a stream that will remain dormant for more than 21 days be stabilized within 2 days of the most recent disturbance.

**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<br><br>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  |

Part III.G.2.b.i (Table 1) of the permit requires that permanent stabilization be applied to areas at final grade within 7 days of the last disturbance. Permanent stabilization is defined as the establishment of permanent vegetative cover, decorative landscape mulching, matting, sod, rip rap and landscaping techniques to provide permanent erosion control.

Part III.G.2.b.i. (Table 1) of the permit requires that any areas within 50 feet of a stream and at final grade be permanently stabilized within two days of reaching final grade. Permanent stabilization is defined as the establishment of permanent vegetative cover, decorative landscape mulching, matting, sod, rip-rap and landscaping techniques to provide permanent erosion control.

Part III.G.2.b.i. (Table 1) of the permit requires that permanent stabilization be applied within 7 days to any area that will lie dormant for more than one year. Permanent stabilization is defined as the establishment of permanent vegetative cover, decorative landscape mulching, matting, sod, rip rap and landscaping techniques to provide permanent erosion control.

**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 |

**At the time of inspection, portions of the hillside behind the school did not meet the stabilization requirements listed above. In order to maintain compliance with the General Storm Water Permit, please complete the following:**

- **Place top soil over the bank to provide appropriate soil for vegetation to grow**
- **Once soil is in place, seed and straw the area to create stabilization**

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.

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 your NPDES permit.

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,

A handwritten signature in black ink that reads "Jared Kemper". The signature is written in a cursive style with a long, sweeping tail on the letter "r".

Jared Kemper  
Storm Water Section  
Division of Surface Water

JK/dh