



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

Re: **Notice of Violation**
Ashland County
Barbasol
Construction Storm Water
Facility ID No. 2GC02959

July 10, 2013

Mr. Brian Maxwell
Dublin Building Systems
P.O. Box 370
Dublin, Ohio 43016

Dear Mr. Maxwell:

On June 28, 2013, Tom Wilkins and I inspected Barbasol, located at 2011 Ford Drive, Ashland (photos taken). 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. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

It appears construction activities at Barbasol are complete. A building addition and paved driveway were present. It appeared that a retention pond with extended detention had been installed on the northeast side of the property to meet the post construction requirements of the permit. An NOT may be filed if one or more of the following conditions have been met:

- Final stabilization has been established on all areas of the site for which the permittee is responsible. Final stabilization means that all soil disturbing activities at the site are complete and a uniform perennial vegetative cover of at least 70% density has been established over the entire site. All temporary erosion and sediment control measures have been removed, properly disposed of, and all trapped sediment has been permanently stabilized; or
- Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.

Your site does not yet appear to meet all of the conditions mentioned above. Specifically, there were large areas of unstabilized soil located north of the facility. Gullies and rills were observed in the drainageway north of the facility leading to the pond. It appeared that silt fence and straw bales had been used as ditch checks in this drainageway leading to the pond. These practices were in disrepair and are not acceptable erosion controls. The pond's

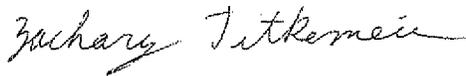
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discharge also appeared to be eroding the centerline of the drainageway leading offsite. *Permit Requires:* All erosion and sediment control practices used to meet the conditions of this permit shall meet the standards and specifications of the current edition of Ohio's Rainwater and Land Development Manual (ODNR) or other standards acceptable to Ohio EPA. And, operators shall undertake special measures to stabilize channels, outfalls, and prevent erosive flows. *These are violations of Parts III.G.2. and 2.b.ii., respectively, of the permit.* The rills and gullies must be filled in with earth and the soil stabilized. Erosion control matting should have been used to stabilize the drainageways and hold the seed in place until grass was established. It may still be required. If additional measures are needed to reduce the velocity in the drainageways, rock ditch checks may be used.

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 me at (419) 373-3025.

Sincerely,



Zachary Titkemeier
Division of Surface Water
Storm Water Program

/jlm

cc: Shane Kremser P.E., City of Ashland Engineer
Tracking