



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

August 27, 2013

**Re:** Lawrence County  
St Mary's Medical Campus  
Storm Water Construction Activity  
Notice of Violation  
Permit #0GC01478\*AG

Mr. Ralph Kline  
Ironton-Lawrence Community Action  
305 N. Fifth Street  
Ironton, Ohio 45638

Dear Mr. Kline:

On August 7, 2013, I visited your site on Campbell Drive. 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:**

1. 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**

<b>Area requiring permanent stabilization</b>	<b>Time frame to apply erosion controls</b>
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, the fill area located at the south end of the property did not meet the stabilization requirements listed above. According to the electronic message I received on July 10, 2013 in response to the notice of violation dated July 2, 2013, the entire fill location was to be in compliance within a two (2) week time frame. At the time of inspection, it appeared that stabilization work had not yet begun. In order to regain compliance with the General Storm Water Permit, please seed and straw all disturbed soil, including creek banks, to allow vegetation to begin to grow.**

2. Part III.G.2.h of the permit states that all sediment control practices must be maintained and repaired until the entire up slope area of the development has been stabilized. According to Part III.G.2.h.i. of the permit, controls must be inspected once every seven calendar days and within 24 hours after any storm event greater than one half an inch in 24 hours. Repairs must be accomplished within three days of the inspection, except in the case of sediment ponds, which must be repaired within 10 days. In accordance with Part III.G.2.d.vi., if periodic inspections or other information indicates that a control has been inappropriately or incorrectly, then the permittee must replace or modify the control for site conditions.

**At the time of inspection, there were no storm water controls preventing sediment from entering the neighboring creek and parking area. During my visit, I noticed sediment running from the fill site and onto the parking lot. This sediment has nowhere to go except down a storm water drain. In order to maintain compliance with the General Storm Water Permit, please install sediment controls along both sides of the creek where it comes in contact with the fill area. Also, please install a similar control where the fill area meets the parking lot.**

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,



Jared Kemper *for*  
Storm Water Section  
Division of Surface Water

JCK/dh