

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REPORT

FOR

TIMBER ROAD WIND FARM PHASE 3

Harrison Township
Paulding County, Ohio

Owner/Operator:

Paulding Wind Farm III, LLC
808 Travis Street, Suite 700
Houston, Texas 77002

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Appendix A

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Exhibit 9 Erosion and Sediment Control Details and Specifications
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References

1. TIMBER ROAD WIND FARM PHASE 3 Public and Private Access Roads Plans - 2016 Construction” Construction Documents, Completed by Fisher Associates PE, LS, PC.

I. Introduction

The following Storm Water Pollution Prevention Plan (SWP3) has been prepared in accordance with the Ohio Environmental Protection Agency (EPA) Authorization for Storm Water Discharges Associated with Construction Activity Under the National Pollutant Discharge Elimination System (NPDES) General Permit number OHC000004 (April 21, 2013). This SWP3 addresses the proposed storm water mitigation measures and pollution prevention devices associated with the proposed Timber Road Wind Farm, Phase 3 project in Harrison Township, Paulding County, Ohio. This document must remain on the site at all times during construction and the owner must retain a copy for three years after submittal of the Notice of Termination (NOT).

The SWP3 includes the following:

- Temporary erosion and sediment control measures prior to and during construction
- Permanent post-construction erosion and sediment control measures
- Permanent post-construction storm water management
- Pollution prevention management measures
- Inspection and maintenance procedures
- Additional best management practice (BMPs) information and notes
- All records of inspections and activities which are created during the course of the project

At least seven (7) days before the pre-construction conference, the owner/operator shall submit to the Ohio Power Siting Board (OPSB) staff a copy of all NPDES permits including its approved Stormwater Pollution Prevention Plan (SWP3), approved Spill Prevention Containment and Countermeasures (SPCC) procedures, and its erosion and sediment control plan for review and approval. Any soil issues must be addressed through proper design and adherence to the Ohio Environmental Protection Agency best management practices related to erosion and sediment control.

Changes, modifications, revisions, additions, or deletions shall become part of the SWP3 as they occur.

The SWP3 will terminate when all disturbed areas are stabilized, permanent erosion and sedimentation controls installed, temporary erosion and sedimentation controls removed, all construction activities have ceased, and a completed Notice of Termination has been filed.

The owner/operator and general contractor, along with all sub-contractors involved in construction activity that disturbs soil or implements pollution prevention controls must sign the SWP3 Certification Forms. The certification form for the owner/operator and contractors is included in *Exhibit 6*.

II. Project Information

A. Project Contact Information

Owner/Operator: Paulding Wind Farm III, LLC
808 Travis Street, Suite 700
Houston, Texas 77002

Facility Contact: Wayne Beck – Senior Site Manager
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B. Project Location

Paulding Wind Farm III, LLC is proposing to develop and operate the Timber Road Wind Farm, Phase 3 in Harrison Township, Paulding County, Ohio. The project is located in Township 2 North, Range 1 East Sections 2-5, 7-11, 14-23, and 28-33 of Paulding County.

Generally, the majority of the project is bounded by US Route 24 on the North, State Route 613 on the South, Town Road 51 on the East, and Town Road 1 on the West. The approximate midpoint of this area is located at the intersection of County Road 124 and Town Road 21, which has the coordinates 1344422, 538098 according to the Ohio North State Plane Coordinate System as based on the North American Datum of 1983.

C. Project Description

The project includes the installation of up to 48 wind turbine generators (WTGs) that are located on the flat agricultural areas that are typical of this region. The WTGs will be located on private land under lease agreement with the property owners. In addition to the WTGs, the applicant will construct access roads, substation, an overhead electric transmission line leading to an existing interconnection substation that will be expanded, and a collection system consisting of underground electric lines. The existing Phase 2 building will be utilized for operation and maintenance purposes. The existing laydown yard constructed for Phase 2 will also be utilized for construction offices and equipment/material storage. The entire project is located on 113 individual properties, which encompasses approximately 9,605 acres of land. The disturbed area involves approximately 1300 acres on these properties.

The following table lists the quantities of the project components:

Project Component	Quantity
New Access Drives	18.0 mi
Underground Electric Lines	27.4 mi
Overhead Transmission Line	8.5 mi
Wind Turbine Generator	48 ea
Construction Lay Down Area	15 Acres

Each WTG sits on a concrete pad that is approximately 60 feet in diameter, with approximately 20 feet in diameter being exposed. The WTG locations will be connected through a series of access roads that include a combination of new gravel access roads and improved existing farm roads. In addition, the wind turbines will be interconnected with the use of underground electrical wires.

D. Nature and Sequence of the Construction Activities

Gravel access roads will be constructed to a 16 foot width from the existing public roads to the turbine locations. To accommodate over-width/overweight delivery and equipment, temporary turning radii will be constructed at access road entrances, public road intersections and other turns as needed. If an existing farm drive or other access drive is available for use, it will be improved and expanded. In addition, a temporary construction staging area for installation equipment and wind turbine generator (WTG) components will be installed near each proposed WTG location. The underground collection system and overhead transmission line will be installed using typical construction methods. The intent of the project is to clear the minimum amount of area necessary for the construction of the WTG, substations, maintenance areas, and access roads. Due to the flat agricultural topography of the site, little to no clearing will be required for this project. Topsoil, where applicable, is to be removed within the disturbed areas, stockpiled in the immediate vicinity of the proposed access drives or WTG pad locations and then used for restoration purposes.

After construction is completed, the construction access roads will remain at 16 feet wide for permanent access. Disturbed areas outside of the permanent gravel areas will be restored and de-compacted to their original conditions. In addition, any existing drives not remaining as permanent access roads that were expanded for construction purposes will be returned to their prior widths and locations. Cleared areas will be reclaimed and allowed to re-vegetate, while agricultural activities will resume to the limits of the permanent access road and WTG pads. The crane pads at each turbine and the underground electric conduit are to remain in place, while all other areas not used for maintenance equipment will be reclaimed with stockpiled topsoil and reseeded with a native seed mixture.

In general, the anticipated elements of construction that will disturb significant amounts of soil is:

1. Construction of temporary intersection improvements.
2. Construction of access roads and improve existing drives for WTG installation.
3. Construction activities at the WTG sites.
4. Construction of the substation and expanded interconnect substation.

E. Land Use and Limitations

1. Existing Drainage and Land Use

The primary land use for the project area is agricultural. There is no known hazardous or environmental contamination on the site.

2. Site Limitations

a) Slope

The project area generally slopes from the southwest to the northeast. The existing slope of the land is in the range of 0% to 2.0% and does not impede any construction activity.

b) Soil Erodibility

There are no soils that are susceptible to severe erosion within the project limits. The majority of the soil has an erosion “K” factor of 0.17 with small areas having a maximum “K” factor of 0.37.

Generally, higher “K” factor soils have a greater potential for erosion. The erosion and sediment control devices proposed for this project will alleviate concerns regarding soil erosion.

c) Depth to Bedrock

According to the United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey 2.1, the minimum depth to a restrictive layer a minimum of 78 in. from the ground surface. A draft geotechnical study by Renewable Resource Consultants, March 2011, confirms that bedrock may not be within 20 feet of the ground surface. Bedrock is not anticipated to limit the project activities as excavations at this depth will not occur in this project.

d) Water Table

According to the United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey 2.1, the minimum depth to groundwater is at the ground surface. Because the groundwater is relatively shallow within the project boundary, pumping will be necessary during construction activities. According to OHC000004, discharges from trench dewatering are covered under this permit as long as dewatering activities are carried out in accordance with the practices outlined in Part III.G.2.g.iv of the permit.

F. Potential Impacts to Historic and Natural Resources

Erosion, temporary construction, and excavation impacts are the primary ways that this project could potentially impact natural resources. The erosion control measures proposed for the project will mitigate these concerns. Potential impacts to specific natural resources and historically significant structures are discussed below.

1. Receiving Waters

The project is located in the Maumee River drainage basin. The northern portion of the project lies within the Upper Maumee Watershed (USGS Hydrologic Unit Catalog (HUC) 04100005) while the southern portion lies within the Auglaize River Watershed (USGS Hydrologic Unit Catalog (HUC) 04100007), as shown on the watershed profiles included as part of *Exhibit 10*.

The project area has non-point discharges to tributaries of Maumee River (HUC 04100005001) and Flatrock Creek (HUC 041000071205). Both of these watercourses and their tributaries have use designations of a warm water habitat (WWH) per the State of Ohio Water Quality Standards Chapter 3745-1 of the Administrative Code. There are no Superior High Quality Waters or Outstanding State Waters affected by this project per the previously stated code.

No work shall occur in WWH streams or streams potentially supporting threatened or endangered species during fish spawning restricted periods (April 15 to June 30), unless a waiver is issued by the Ohio Department of Natural Resources (ODNR) and approved by OPSB Staff releasing the Owner/Operator from a portion of, or the entire restriction period.

2. Impaired Waters

Flatrock Creek and the Maumee River and their tributaries are listed as a Section 303(d) watercourse according to the Final 2014 Integrated Water Quality Monitoring and Assessment Report for Ohio. The primary impairments to this watershed are habitat alterations and sediment, which are caused by channelization due to agricultural uses and non-irrigated crop production. To alleviate concerns regarding these impairments, proper erosion and sedimentation controls will be implemented. In addition, no stream channelization is proposed as a part of this project.

3. Total Maximum Daily Load Waterbodies (TMDL)

The project does not involve a watercourse that is on the Environmental Protection Agency (EPA) list of waterbodies having TMDL limits.

4. Municipal Separate Storm Sewer System (MS4)

The project is not within a designated MS4 limits.

5. Aquifers

The project is not located over a Federal Sole Source Aquifer according to the EPA Sole Source Aquifer Map for the State of Ohio.

6. Wetlands

There are wetlands on the project properties as delineated by MSG in 2016. The wetlands are primarily located along stream and ditch bottoms and are under the jurisdiction of the United States Army Corps of Engineers (USACE). It is not anticipated that a 404 United States Army Corps of Engineers (USACE) permit is needed. All wetland impacts from this project are covered under the USACE Nationwide Permit (NWP) 12 and 14. There are a total of 0.001 acres of permanent wetland impacts associated with the project. Utility line activities and roads through waters of the United States are authorized under NWP 12 and linear access roads are authorized under NWP 14 as long as impacts are less than ½ acre and where there is no change to preconstruction contours. The

USACE shall be notified in the event that wetland impacts are anticipated to exceed the NWP parameters.

7. Floodplain

The majority of the project is not within a 100-year flood plain, as determined from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), Paulding County (Unincorporated Areas), Ohio, Community Panel Numbers 390777 0100 C, 390777 0025 D and 390777 0085 C. There is one section of underground collection lines and two sections of overhead transmission line that will be installed within floodplains. This construction will not change the existing ground surface or obstruct flow of runoff. Permission must be obtained from the Paulding County Engineer's Office for any extensive movement or rearrangement of ground surface contours within the floodplain. Portions of the floodplain maps are included as part of *Exhibit 10*.

III. Stormwater Runoff Conditions

A. Soils

Based on The National Cooperative Soil Survey (NCSS) Web Soil Survey 2.1 (WSS), the project area consists of Hydrologic Soil Group “HSG” C/D or D soils. A copy of the map is included as part of *Exhibit 10*. The existing and proposed Curve Numbers (CN) numbers for “D” soils associated with this project are as follows:

Table 2 Existing and Proposed Curve Numbers	
Land Use	Curve Number
Agricultural	90
Gravel	91
Concrete	98

B. Proposed Surface Drainage & Covers

Generally, the proposed improvements will not change the existing drainage patterns or conditions. The following components of the project have increase in impervious area and require water quality and quantity measures in accordance with the Ohio Department of Natural Resources (ODNR) Rainwater and Land Development Manual (RWLDM)

1. Substation

The proposed substation consists of new gravel drives, electrical equipment, loose gravel pad, and associated buildings. The loose gravel pad and electrical equipment are not considered impervious as stormwater runoff is allowed to infiltrate into the underlying soils. The gravel drives surrounding the equipment and proposed buildings result in approximately 0.52 acres of new impervious area. Water quality and quantity are required for these areas and requires stormwater treatment measures as discussed in Section III.C. of this report.

2. Interconnect Expansion Site

The proposed Interconnect Expansion Site consists of new gravel drives, electrical equipment, loose gravel pad, and associated buildings. The loose gravel pad and electrical equipment is not considered impervious as stormwater runoff is allowed to infiltrate into the underlying soils. The gravel drives surrounding the equipment and proposed buildings result in approximately 0.25 acres of new impervious area. Refer to the Logtown Station Grading Plan and Soil Erosion Plan prepared by Black & Veatch for more information regarding the proposed stormwater controls. Water quality and quantity are required for these areas and requires stormwater treatment measures as discussed in Section III.C. of this report.

3. Operations and Maintenance Site

The existing Operations and Maintenance (O&M) site for Timber Road Wind Farm II will be utilized for this project as well. The O&M building and site will be expanded to accommodate the increased maintenance crew and needed office space. There will be an additional 0.035 acres of impervious area

at the O&M site. The new impervious areas require water quality and quantity treatment practices as discussed in Section III.C. of this report.

4. Turbine Sites

There will be a minor increase in impervious area as a result of this project at the turbine sites. Each Wind Turbine Generator (WTG) will contribute 0.007 ac of impervious area, for a total of 0.336 acres for the 48 WTGs. Based on the total disturbed area the percent increase in imperviousness is 0.026%. Therefore, the increased runoff associated with the WTG's is negligible. No stormwater treatment measures are proposed at the WTG sites.

Refer to the project drawings, referenced in the Table of Contents of this report, for further information.

5. Electric lines

The overhead and underground electric lines are considered a linear project and are not required to provide post construction stormwater management practice.

C. Stormwater Quality Measures

1. Substation

The proposed Substation will be near the southwest corner of County Road 124 and Town Road 33. It is located on a 6.54 acre property and consists of various electric transformers and equipment, a gravel access drives, and gravel parking area. There is an existing drainage ditch located at the western end of the site and surrounded by agricultural lands. The site is generally flat with slopes not exceeding 2% in any direction.

To alleviate concerns with stormwater quality due to the increased impervious areas, a 25 ft wide permanent grass filter strip with a gravel level spreader is proposed along the eastern and western edges of the site to treat stormwater prior to discharge to adjacent properties and ditches. There will be no point discharge locations from the site. The grass filter strips will provide a minimum particulate trap efficiency of 75% and a drain time of 24 hours of the water quality volume in accordance with the Ohio Department of Natural Resources (ODNR) Rainwater and Land Development Manual (RWLDM). Installation and maintenance will also be in accordance with the RWLDM. Further information regarding grass filter strips is provided in Section IV.A.3.a and as part of *Exhibit 9* of this SWPPP.

2. Interconnection Expansion

The proposed Interconnect Expansion is located at the south end of the proposed overhead transmission lines, adjacent to an existing interconnect site, and consists of various electric transformers and equipment, gravel access drives, and parking areas. It is in the southeast corner of the State Route 114 and Town Road 27 intersection and is approximately 3.73 acres. There is an existing drainage ditch located at the western end of the site with the adjacent properties being agricultural uses. The site is generally flat with slopes not exceeding 2% in any direction.

To alleviate concerns with stormwater quality due to the increased impervious areas, a grass swale along the western edge of the site will convey stormwater runoff to an existing catch basin near the northwest corner of the site. In addition, an existing filter strip along the eastern edge of the site will provide sheet flow to an existing swale that flows from the south to the north. The existing swale will convey stormwater runoff to the north of the site to an existing drainage ditch. Runoff along the southern perimeter of the site will sheet flow to adjacent agricultural properties. The grass filter strip and grass swales will provide a minimum particulate trap efficiency of 75% and a drain time of 24 hours of the water quality volume in accordance with the RWLDM. Installation and maintenance will also be in accordance with the RWLDM. Further information regarding grass filter strips is provided in Section IV.A.3.a and as part of *Exhibit 9* of this SWPPP. Refer to the Logtown Station Grading Plan and Soil Erosion Plan prepare by Black and Veatch for additional information regarding the stormwater treatment practices proposed for this site.

3. Operations and Maintenance Site

The existing O&M site is located at 9630 State Route 49, which is approximately 0.5 miles south of County Route 124. The site expansion includes a building addition and parking lot expansion. The existing site is approximately 3.35 acres and will include approximately 0.035 acres of new impervious area.

To alleviate concerns with stormwater quality due to the increased impervious areas, the existing permanent grass filter strip will be maintained along the perimeter of the site prior to stormwater discharging to adjacent agricultural properties. There will be no point discharge locations from the site. The grass filter strip will provide a minimum particulate trap efficiency of 75% and a drain time of 24 hours of the water quality volume in accordance with the RWLDM. Maintenance will also be in accordance with the RWLDM. Further information regarding grass filter strips is provided in Section IV.A.3.a and as part of *Exhibit 9* of this SWPPP.

4. Turbine Locations

No permanent stormwater features are proposed at the WTG locations or access roads due to the minor percent increase and in order for the existing agricultural uses to resume to the edge of these areas.

IV. Pollution Prevention Measures

The primary goal of pollution prevention efforts during project construction is to control soil erosion and pollutants that originate on the site and prevent them from flowing to surface waters. The purpose of this SWP3 is to provide guidelines for achieving that goal. A successful pollution prevention program also relies upon careful inspection and adjustments during the construction process in order to enhance its effectiveness.

Prior to the commencement of construction, a Notice of Intent (NOI) shall signed by the SWP3 Preparer and Owner/Operator, and be filed with the Ohio Environmental Protection Agency (EPA) to obtain coverage under General Permit OHC000004 for storm water discharges from construction activity.

A. Erosion and Sedimentation Control Plan

All erosion and sediment control measures will be selected, installed, and maintained in accordance with the Ohio Department of Natural Resources Division of Soil and Water Conservation "Rainwater and Land Development" Manual Third Edition 2006, including updates. Soil erosion and sediment control structural practices are to be used at all locations where construction will take place and remaining disturbed for over 14 days.

The following are management practices that may be utilized in conjunction with the erosion and sediment controls described in this section:

- Minimize exposure time of bare or disturbed areas by properly sequencing construction activities
- Verify that all needed materials are available to complete a specific task without delays
- Apply temporary stabilization immediately after grading
- If possible, stabilize an area prior to disturbing new areas
- Install erosion and sediment controls immediately
- All stormwater shall be diverted away from fill slopes and other exposed surfaces to the greatest extent possible, and shall be directed instead to an appropriate catchment structure, sediment pond, etc., using diversion berms, temporary ditches, check dams, or similar measure.

1. Construction Sequencing for Erosion Control Features

- a. Evaluate, mark and protect, with appropriate erosion control measures, important trees, associated rooting zones, and other existing site features designated to remain. Delineate all watercourses, including wetlands, by fencing, flagging, or other prominent means.
- b. Construction vehicles shall utilize construction entrances as depicted on the plans.
 - Stabilize bare areas (entrances, construction routes, equipment areas) immediately as work takes place. Top these areas with gravel or maintain vegetative cover.
 - Sediment tracked onto public streets shall be removed or cleaned on a daily basis.
 - Silt fence shall be installed between the construction lay down area and any adjacent streams or wetlands.
 - Construction vehicles shall avoid entry into watercourses, including wetlands, except at specific locations where construction has been approved.
 - Storage, stockpiling, and/or disposal of equipment and materials is prohibited within sensitive areas.
- c. Construct temporary erosion and sediment control measures (silt fence, tree protection fence, etc.) within 7 days of grubbing activities and per the Rainwater and Land Development Manual Specifications.
- d. Immediately remove topsoil, vegetation, and debris from areas to be impacted during construction activities. No organic debris shall be buried on site. Stockpile topsoil, debris, or construction materials in designated areas on the project site.
- e. Commence construction activities.
- f. Stabilize all disturbed areas in accordance with the OHC000004 temporary and permanent stabilization schedule.

- g. All erosion and sediment control features shall be inspected after each rainfall event of one-half of an inch or greater over a twenty-four (24) hour period and maintained until establishment of a permanent vegetative cover has been established. On acceptance of restoration by the owner, remove all temporary features.
- f. All temporary gravel and other construction staging area and access road materials shall be removed after completion of construction activities and not later than sixty (60) day after the start of commercial operation, unless otherwise directed by the landowner. Impacted areas shall be restored to pre-construction conditions in compliance with the Ohio NPDES permit(s) obtained for the project and the approved SWP3.

2. Temporary Measures

a. Phased Disturbance

The proposed project has taken the natural site conditions into consideration during the planning phases. The existing topography, drainage, and vegetation will remain unchanged as much as possible. The access road alignment has been carefully planned to preserve natural features wherever possible. Because the existing agricultural land uses are directly adjacent to the top of bank of existing streams and ditches, no additional buffer area is proposed for access road construction. There will be minimal impacts to existing features along the disturbed area. In areas of stream crossings, wetlands, floodplains, and other sensitive areas, additional measures such as tunnel and boring crossings, vegetative buffers, and tree and natural area reservation practices will be utilized.

In addition, the construction activity shall be staged in a manner that maintains at least 50% of the project in a natural condition and the exposed ground will not sit idle. The access roads will be stoned as soon as possible after the topsoil is stripped to minimize erosion.

b. Silt Fence

Silt fence is proposed at the down gradient side of access drives, construction lay down area, WTG pad sites, and any other disturbed areas to prevent sediment from disturbing areas outside the construction limits. In addition, silt fence will be installed where the access roads intersect with existing roads to protect roadside ditches from sediment laden runoff.

Silt Fence Maximum Drainage Area Based on Slope	
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%

c. Construction Entrances

Construction entrances will be utilized at the locations where access roads meet existing roadways or wherever access to construction areas are needed, such as equipment and material lay down areas

and substation. In conjunction with the construction entrances, the existing roadways shall be kept clean from all sediment tracked or washed onto the paved surfaces.

d. Dust Control

Construction traffic must enter and exit the site at the designated construction entrances as depicted on the plans and in accordance with the Rainwater and Land Development specification. The purpose is to trap dust and mud that would otherwise be carried off-site by construction traffic. Water trucks or other dust control agents shall be used as needed during construction to reduce dust generated on the site. Dust control agents other than water shall not be applied near catch basins or any other drainage ways. Used oil shall not be used as a dust control agent. After construction, the site will be stabilized (as described elsewhere), which will reduce the potential for dust generation.

e. Temporary Seeding

During construction of the facility, seed all disturbed soil, except within actively cultivated agricultural fields, within seven (7) days of final grading with a seed mixture acceptable to the local Ohio State University Extension Office. Denuded areas over 50 feet away from a stream, including spoils piles, shall be seeded and stabilized within seven (7) days, if they will be undisturbed for more than fourteen (14) days. Areas within 50 feet of a stream shall receive temporary stabilization within 2 days if it will remain undisturbed for more than fourteen (14) days. Re-seeding shall be done within seven (7) days of emergence of seedling as necessary until sufficient vegetation in all areas has been established. For disturbed areas that will be left idle over winter, temporary stabilization shall be applied prior to the onset of winter conditions.

In order to obtain temporary stabilization status, 2 tons per acre or 3 bales per 1,000 square feet of straw mulch shall be tacked into place by a disk with blades set nearly straight or an approved equal method or product shall be used. Hydroseeding shall not be considered a means for providing temporary stabilization. Seed and mulch for temporary stabilization shall be performed as follows and in accordance with the OHC000004.

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 14 days
For all construction activities, any disturbed areas that will be dormant for more than 14 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 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

Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed. Permanent and temporary stabilization are defined in Part VII.

Table 7.8.1 Temporary Seeding Species Selection

Seeding Dates	Species	Lb./1000 ft2	Lb/Acre
March 1 to August 15	Oats	3	128 (4 Bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Perennial Ryegrass	1	40
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Annual Ryegrass	1.25	55
	Perennial Ryegrass	3.25	142
	Creeping Red Fescue	0.4	17
	Kentucky Bluegrass	0.4	17
	Oats	3	128 (3 bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
August 16th to November	Rye	3	112 (2 bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Wheat	3	120 (2 bushel)
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Perennial Rye	1	40
	Tall Fescue	1	40
	Annual Ryegrass	1	40
	Annual Ryegrass	1.25	40
	Perennial Ryegrass	3.25	40
	Creeping Red Fescue	0.4	40
	Kentucky Bluegrass	0.4	
November 1 to Feb. 29	Use mulch only or dormant seeding		

Note: Other approved species may be substituted.

f. Mulching

Mulch cover (straw/hay) is to be applied at a rate of 2 tons per acre or 90 lb per 1000 sq. ft. (2 to 3 bales) to provide temporary erosion control until vegetation is established from temporary or permanent seeding. Mulch is to be used for all soil types where slopes are 3:1 or less and no significant concentrated flows are present. Straw mulch shall be spread uniformly by hand or mechanically until the soil surface is covered and shall be disc-anchored immediately after placement. Other mulching practices may substitute straw/hay in accordance with the Rainwater and Land Development Manual specifications.

g. Dewatering

A temporary sump and rock base shall be used where a temporary pump is installed for dewatering. The pump intake shall be elevated to draw water from the surface to limit sedimentation. Energy dissipation measures shall be applied to the discharge area of the pump hose. The water shall be discharged to large flat vegetated areas prior to flowing into receiving waters. In no case shall the water be directly discharged to streams or ditches. If the water is turbid, additional measures, such as dewatering filter bags, temporary sediment traps or other approved measures shall be utilized to control sediment.

3. Permanent Measures

a. Grass Filter Strip

Grass Filter Strips shall be utilized at the Substation, Operations & Maintenance, and Interconnect Expansion sites. They shall be located at the down gradient side of the impervious areas and shall have a slope between 2% and 5% to prevent concentrated flows. Grass Filter Strips shall have a minimum width of 25 ft with additional width added depending on the size of the impervious area draining to it. A 1 ft wide by 1 ft deep rock trench level spreader shall be utilized at the upstream side of the filter strip for pretreatment and to prevent erosion of the filter strip. If gullies or rills occur, they must be repaired and stabilized with additional seed or sod. Pedestrian and vehicular traffic should be avoided within the grass filter strip area to prevent soil compaction and to maintain the quality of vegetation.

Seeding of the filter strip should be completed no later than September 30th to assure sufficient vegetation by October 31st. If an adequate stand of vegetation has not been established by October 31st, temporary measures must be installed to divert stormwater flows around the filter strip until adequate vegetation and stabilization occurs. No stormwater flows should be directed to a filter strip with established vegetation until the contributing drainage area has been stabilized. Grass Filter Strips shall be installed in accordance with the Rainwater and Land Development Manual specifications.

b. Rock Outlet Protection

Rock Outlet Protection shall be utilized at all locations where access roads cross existing streams and ditches to prevent scour erosion during high flow conditions. The outlet protection shall consist of the rock riprap layer and an underlying geotextile fabric. During design, if velocities of 10 ft/s or

greater are anticipated during a 10-year storm event, granular bedding shall be used in place of the geotextile fabric. The width of the rock outlet protection shall be 4 ft wider than the diameter of the culvert (2 ft on each side) and the length is dependent on the velocity of the flow as per the Rainwater and Land Development specifications.

c. Permanent Seeding

All disturbed areas which are not permanently impervious areas, gravel surfaces, or agricultural areas shall be vegetated for final stabilization. Permanent vegetation shall be established within seven (7) days on areas that will not be re-disturbed for periods longer than 12 months. For disturbed areas within 50 feet of a stream, permanent stabilization shall be applied within two (2) days of reaching final grade.

Permanent seeding includes site preparation, seedbed preparation, planting seed, mulching, irrigation and maintenance. Disturbed areas that are to receive permanent seeding shall be de-compacted for a healthy stand of grass to be established. A subsoiler, plow, or other implement shall be used for soil de-compaction. Topsoil shall be applied to disturbed areas to establish vegetation. Lime, fertilizer, and mulch shall be applied as follows:

Permanent Site Preparation Materials	
Lime	100 lbs per 1000 sq. ft. or 2 tons per acre
Fertilizer	25 lbs per 1000 sq. ft or 1000 lbs per acre 10-10-10 or 12-12-12
Mulch	2 tons per acre or 90 lbs per 1000 sq ft (2 to 3 bales)

Lime and fertilizer shall be worked into the soil with a disk harrow, spring-tooth harrow, or other suitable field implement to a depth of 3 inches. Seed and mulch for permanent stabilization shall be performed as follows and in accordance with the Rainwater and Land Development manual and the OHC000004.

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

Table 7.10.2 Permanent Seeding

Seed Mix	Seeding Rate		Notes:
	Lbs./acre	Lbs./1,000 Sq. Feet	
General Use			
Creeping Red Fescue	20-40	1/2-1	For close mowing & for waterways with <2.0 ft/sec velocity
Domestic Ryegrass	10-20	1/4-1/2	
Kentucky Bluegrass	20-40	1/2-1	
Tall Fescue	40-50	1-1 1/4	
Turf-type (dwarf) Fescue	90	2 1/4	
Steep Banks or Cut Slopes			
Tall Fescue	40-50	1-1 1/4	Do not seed later than August
Crown Vetch	10-20	1/4-1/2	
Tall Fescue	20-30	1/2-3/4	
Flat Pea	20-25	1/2-3/4	Do not seed later than August
Tall Fescue	20-30	1/2-3/4	
Road Ditches and Swales			
Tall Fescue	40-50	1-1 1/4	
Turf-type (Dwarf) Fescue	90	2 1/4	
Kentucky Bluegrass	5	0.1	
Lawns			
Kentucky Bluegrass	100-120	2	For shaded areas
Perennial Ryegrass		2	
Kentucky Bluegrass	100-120	2	
Creeping Red Fescue		1-1/2	

Note: Other approved seed species may be substituted.

B. Additional Construction Site Pollutant Controls

a. Educate Construction Personnel

All contractors and subcontractors who may handle hazardous or toxic materials shall be trained to properly handle and dispose of such materials. Contractors and subcontractors shall be made aware of the following general guidelines:

Disposal and Handling of Hazardous and Other Construction Waste	
DO:	<ul style="list-style-type: none">• Prevent spills• Use products up• Follow label directions for disposal• Remove lids from empty bottles and cans when disposing in trash• Recycle wastes whenever possible
DON'T	<ul style="list-style-type: none">• Don't pour into waterways, storm drains or onto the ground• Don't pour down the sink, floor drain or septic tanks• Don't bury chemicals or containers• Don't burn chemicals or containers• Don't mix chemicals together

b. Solid Waste Disposal

No solid materials, including building materials, shall be discharged from the site with storm water. All solid waste, including disposable materials incidental to the major construction activities, must be collected and placed in non-leaking covered containers. The containers will be emptied as necessary by a contract trash disposal service and hauled away from the site. Substances that have the potential for pollution surface and/or groundwater must be controlled by whatever means necessary in order to ensure that they do not discharge from the site. All construction and demolition debris (C&DD) waste shall be disposed of in an Ohio EPA approved C&DD landfill as required by Ohio Revised Code (ORC) 3714. No gravel or any other construction material shall be disposed of by spreading such material on agricultural land. All construction debris and all contaminated soil shall be promptly removed and properly disposed of in accordance with Ohio EPA regulations.

c. Sanitary Facilities

All personnel involved with construction activities must comply with state and local sanitary or septic system regulations. Temporary sanitary facilities shall be provided at the site throughout construction. They must be utilized by all construction personnel and shall be serviced by a commercial operator.

d. Water Source

Non-storm water components of site discharge must be clean water. Water used for construction, which discharges from the site must originate from a public water supply or private well approved by the State Health Department. Water used for construction that does not originate from an approved public supply must not discharge from the site.

e. Construction Chemicals

Mixing, pumping, transferring or other handling of construction chemicals such as fertilizer, lime, asphalt, concrete drying compounds, and all other potentially hazardous materials shall be performed in an area away from any watercourse, ditch, or storm drain. All construction chemicals and materials that need to be stored shall be located within the limits of the construction equipment lay-

down and material storage area as indicated on the construction plans. Tarps or other measures shall be used to cover construction materials in order to minimize exposure to storm water.

f. Concrete Waste from Concrete Ready-Mix Trucks

Concrete wash water shall not be allowed to directly flow into streams, ditches, storm drains, or any other water conveyance. Discharge of excess or waste concrete and/or wash water from concrete trucks shall discharge to specifically designated sump or pit at each WTG location prepared to prevent contact between the concrete and/or wash water and storm water that will be discharged from the site. Field tile or other subsurface drainage structures within 10 ft of the sump area shall be cut and plugged. The cured residue from the concrete washout sump areas shall be disposed in accordance with applicable state and federal regulations or as an alternate, placed into forms to make riprap or other useful concrete products.

g. Fuel Tanks, Equipment Fueling, and Maintenance

Temporary on-site fuel tanks for construction vehicles shall be located at the construction equipment and material lay-down area and meet all state and federal regulations. Tanks shall have approved spill containment with the capacity required by the applicable regulations. The tank shall be in sound condition free of rust or other damage, which might compromise containment. Hoses, valves, fittings, caps, filler nozzles, and associated hardware shall be maintained in proper working condition at all times. These areas shall be inspected every seven days and within 24 hours of a 0.5 inch or greater storm event to ensure there are no exposed materials which would contaminate storm water.

Fueling and maintenance of equipment shall be performed away from watercourses, ditches, or storm drains, in an area designated for that purpose. The designated area shall be equipped for recycling oil and catching spills. Refer to the project's Spill Prevention Control and Countermeasures (SPCC) plan for additional information.

h. Contaminated Soils

If substances such as oil, fuel, hydraulic fluid, antifreeze, etc. are spilled, leaked, or released onto soil, the soil shall be dug up and disposed of at a licensed sanitary landfill or other approved petroleum contaminated soil remediation facility (not a construction/demolition debris landfill). Storm water runoff associated with contaminated soil is not authorized under the OHC000004. An alternate National Pollutant Discharge Elimination System (NPDES) Permit shall be obtained in the event that there are storm water discharges from contaminated soil areas.

i. Hazardous Waste Management and Spill Reporting

Any hazardous or potentially hazardous waste that is brought onto the construction site will be handled properly and in accordance with the SPCC plan to reduce the potential for storm water pollution. All materials used on this construction site will be properly stored, handled and dispensed following any applicable label directions. Material Safety Data Sheets (MSDS) information will be kept on site for any and all applicable materials.

In the event of an accidental spill immediate action shall be taken by the General Contractor to contain and remove the spilled material. All hazardous materials shall be disposed of by the Contractor in the manner specified by local, state, and federal regulations and by the manufacturer of such products. As soon as possible, the spill shall be reported to the appropriate state and local agencies. As required under the provisions of the Clean Water Act, any spill or discharge entering the waters of the United States shall be properly reported.

Any spills of hazardous materials in quantities in excess of Reportable Quantities as defined by EPA or the State Agency regulations, shall be immediately reported to the EPA National Response Center (1-800-424-8802) and the Ohio EPA (Spill Hotline, 1-800-282-9378). Spills of 25 gallons or more of petroleum products shall be reported to the Ohio EPA (1-800-282-9378), local fire department, and the Local Emergency Planning Committee within 30 minutes of the discovery of the release. All spills which result in contact with waters of the state must be reported to the Ohio EPA's Hotline.

In order to minimize the potential for a spill of hazardous materials to come in contact with storm water, the following steps will be implemented:

- a. All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, cleaning solvents, additives for soil stabilization, concrete curing compounds and additives, etc.) shall be stored in a secure location, under cover, when not in use.
- b. The minimum practical quantity of all such materials shall be kept on the job site and scheduled for delivery as close to time of use as practical.
- c. A spill control and containment kit (containing for example, absorbents, such as kitty litter or sawdust, acid neutralizing agents, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) shall be provided at the storage site(s).
- d. All of the product in a container shall be used before the container is disposed of. All such containers shall be triple rinsed, with water prior to disposal. The rinse water used in these containers shall be disposed of in a manner in compliance with state and federal regulations and shall not be allowed to mix with storm water discharges.
- e. All products shall be stored in and used from the original container with the original product label.
- f. All products shall be used in strict compliance with instructions on the product label.
- g. The disposal of excess or used products shall be in strict compliance with instructions on the product label.

j. Open Burning

No materials may be burned which contain rubber, grease, asphalt, or petroleum products such as tires, cars, auto parts, plastics, or plastic coated wire. Open burning is not allowed in restricted areas, which is defined as within corporation limits, within 1000 ft. outside a municipal corporation having a population of 1000 to 10000, or one mile zone outside of a corporation of 10000 or more. Outside of restricted areas, no open burning shall take place within 1000 ft. of an inhabited building located off of the property where the fire is set.

k. Air Permitting Requirements

Activities including but not limited to mobile concrete batch plants, mobile asphalt plants, concrete crushers, large generators, etc., will require specific Ohio EPA Air Permits for installation and operation. These activities must seek authorization from the corresponding district of the Ohio EPA. Notification for Restoration and Demolition must be submitted to Ohio EPA for all commercial sites to determine if asbestos corrective actions are required.

C. Potential Non-Stormwater Discharges

Non-stormwater discharges shall be eliminated or reduced to the greatest extent possible. Specific non-stormwater discharges authorized under OHC000004 that may originate from this project are:

1. Vehicle wash water if no detergents are used
2. Fire fighting activities
3. Fire hydrant flushing
4. Potable water sources including water line flushing
5. Uncontaminated groundwater or spring water
6. Building wash water if no detergents are used
7. Water used to control dust
8. Uncontaminated excavation dewatering
9. Water from water trucks or irrigation systems
10. Pavement wash water where spills have not occurred or that have been previously removed and where detergents are not used
11. Street cleaning (as permitted and necessary)

V. Inspection and Maintenance

A. Inspection Schedule

The Owner/Operator shall assign a qualified inspection personnel to conduct an assessment of the site prior to the commencement of any non-erosion and sediment control construction work and report that the appropriate erosion and sediment controls described herein have been installed adequately for construction of the project to begin.

Construction observations shall be completed upon commencement of disturbance at least one time every 7 days and within 24 hours of a rainfall event greater than or equal to 0.5 inches, until final stabilization of the site is achieved. The inspection frequency may be reduced to at least once per every month if the entire site is temporarily stabilized or runoff is unlikely due to weather conditions (e.g., site is covered with snow, ice, or the ground is frozen). A waiver request will need to be submitted to the Ohio EPA before the inspection frequency is reduced.

B. Observation and Maintenance Practices

a. Inspection Report/Checklist

Following each inspection, a checklist must be completed and signed by the qualified inspection personnel representative. At a minimum, the inspection report must include:

1. The inspection date
2. Name, titles, and qualifications of personnel making the inspection
3. Weather information for the period since the last inspection (or since commencement of construction activity if the first inspection) including a best estimate of the beginning of each storm event, duration of each storm event, approximate amount of rainfall for each storm event (in inches), and whether any discharges occurred
4. Weather information and a description of any discharges occurring at the time of the inspection
5. Location(s) of discharges of sediment or other pollutants from the site
6. Location(s) of BMPs that need to be maintained
7. Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location
8. Location(s) where additional BMPs are needed that did not exist at the time of the inspection
9. Corrective actions required including any changes to the SWP3 necessary and implementation dates

b. Observation Procedures

The following observations and recommendations shall be made to the proposed erosion and sediment controls:

1. Sediment control devices shall be inspected for depth of sediment and built-up sediment shall be removed prior to exceeding 1/3 of the height of the device

2. Construction Entrances are to be inspected for evidence of off-site sediment tracking where vehicles exit the project area. Each contractor and subcontractor is responsible for maintaining the construction entrance and other controls as previously described.
3. The disturbed areas are to be inspected for sediment accumulation. The contractor shall remove all sediment and temporarily stabilize and seed areas if vegetation is disturbed on adjacent property.
4. Wetlands shall be observed for shoreline damage, debris, visible pollutants, and adequate vegetation; and obstructions to the inlets and outlets. The contractor shall be responsible for any additional repairs and permits that may be necessary to repair wetland areas that are outside of the construction limits.
5. Adjacent streets, surface waters and adjacent properties are to be inspected for sediment accumulation. The contractor shall identify the source and discharge location of the sediment and implement additional erosion and sediment controls at those locations to prevent future discharges. Sediment must be retrieved within 3 days from surface waters unless additional regulatory approval is needed. The operator is responsible to contract all local, regional, state and federal authorities and obtain any applicable permits prior to conducting any work to remove sediment that has been discharged from the site.
6. Storm pipes and culverts are to be inspected for excessive sediment and debris. The contractor shall determine the source and discharge locations of such materials and shall remove the sediments and debris and correct the source of such materials.
7. Temporary and Permanent Seeding shall be inspected for washouts, bare spots, and healthy growth. Washout areas shall be stabilized by jute-mesh, sod, or other approved energy dissipation means. Bare spots and unhealthy growth areas shall be re-established, as required.
8. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of or the potential for pollutants entering the drainage system. If such pollutants are observed, the contractor shall take corrective action immediately and contact all authorities as previously described.

The site shall be cleaned of all construction debris prior to demobilization. Temporary erosion and sediment control practices shall be removed when soils are stabilized, as determined by the qualified inspection personnel. After the qualified inspection personnel declares final stabilization of the site and reports that all temporary controls have been removed, the Notice of Termination (NOT) shall be signed by the qualified inspection personnel and Owner/Operator and filed with the Ohio EPA. Note that all permanent stormwater management practices, including required structures due to modifications of the SWP3, shall be listed on the NOT. The permittee shall maintain for three years following the submittal of a notice of termination form: a record summarizing the results of the inspection, names(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWP3, a certification as to whether the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance.

c. Maintenance Procedures

The following maintenance practices shall be made to the proposed erosion and sediment controls as determined by the qualified inspection personnel:

1. When practices require repair or maintenance:

If the inspection reveals that a control practice is in need of repair or maintenance, with the exception of a sediment settling pond, it must be repaired or maintained within 3 days of the inspection. Sediment settling ponds must be repaired or maintained within 10 days of the inspection.

2. When practices fail to provide their intended function:

If the inspection reveals that a control practice fails to perform its intended function and that another, more appropriate control practice is required, the SWP3 must be amended and the new control practice must be installed within 10 days of the inspection

3. When practices depicted on the SWP3 are not installed:

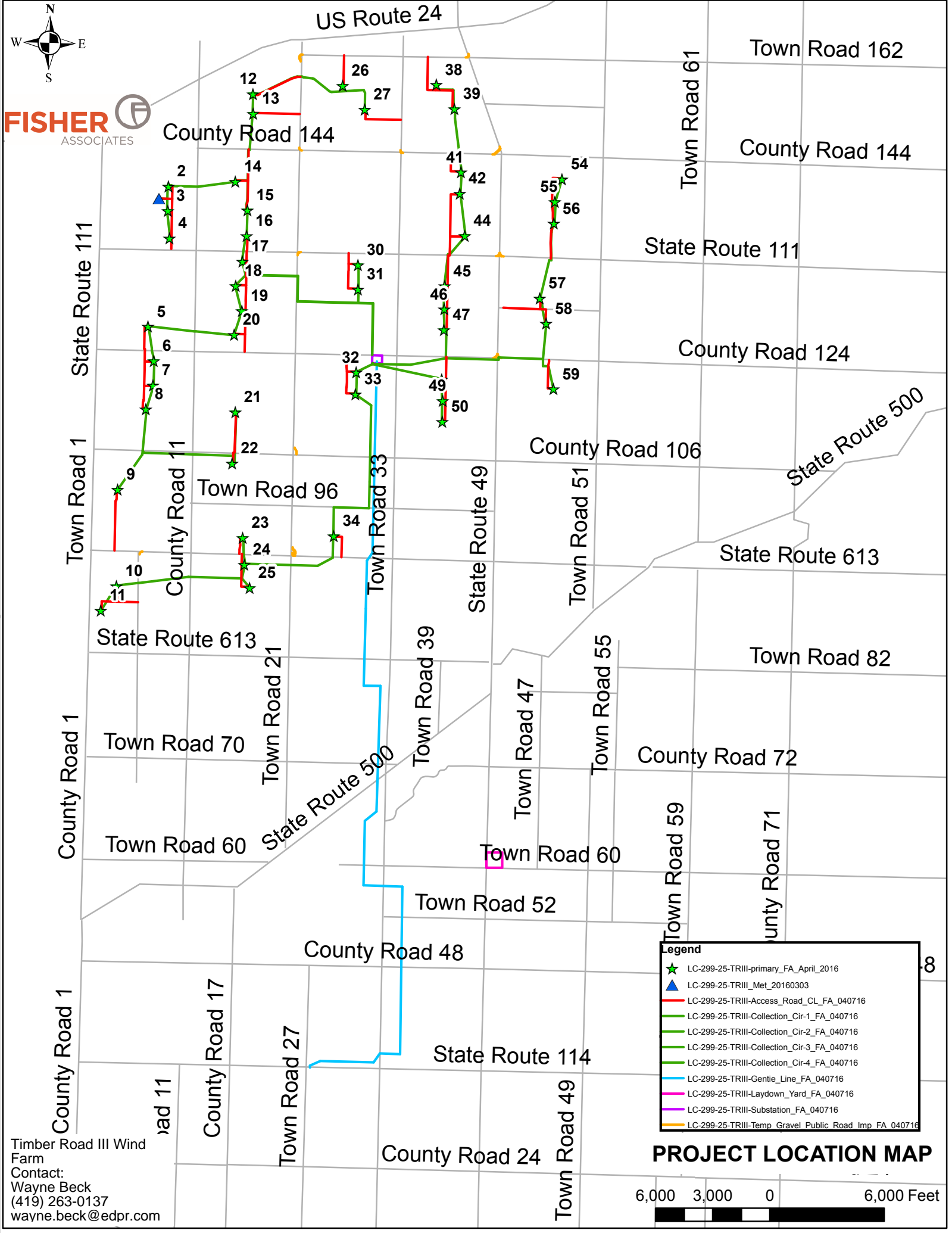
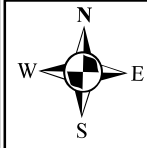
If the inspection reveals that a control practice has not been implemented in accordance with the schedule contained in Part III.G.1.g of the OHC000004, the control practice must be implemented within 10 days from the date of the inspection. If the inspection reveals that the planned control practice is not needed, the record must contain a statement of explanation as to why the control practice is not needed.

C. SWP3 Amendments

The permittee shall amend this SWP3 whenever there is a change in design, construction, operation or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of the State or if this SWP3 proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with construction activity. Amendments to the SWP3 may be reviewed by Ohio EPA in the same manner as Part III.C. of the OHC000004. All revisions are to be recorded in the SWP3 Amendments Form, included in *Exhibit 4* within 10 calendar days of an inspection.

APPENDIX A

Exhibit 1: Project Location Map



Legend

- ★ LC-299-25-TRIII-primary_FA_April_2016
- ▲ LC-299-25-TRIII_Met_20160303
- LC-299-25-TRIII-Access_Road_CL_FA_040716
- LC-299-25-TRIII-Collection_Cir-1_FA_040716
- LC-299-25-TRIII-Collection_Cir-2_FA_040716
- LC-299-25-TRIII-Collection_Cir-3_FA_040716
- LC-299-25-TRIII-Collection_Cir-4_FA_040716
- LC-299-25-TRIII-Gentle_Line_FA_040716
- LC-299-25-TRIII-Laydown_Yard_FA_040716
- LC-299-25-TRIII-Substation_FA_040716
- LC-299-25-TRIII-Temp_Gravel_Public_Road_Imp_FA_040716

PROJECT LOCATION MAP

6,000 3,000 0 6,000 Feet

Timber Road III Wind Farm
Contact:
Wayne Beck
(419) 263-0137
wayne.beck@edpr.com

Exhibit 2: Notice of Intent (NOI) Application



Division of Surface Water - Notice of Intent (NOI) For Coverage Under Ohio
Environmental Protection Agency General NPDES Permit

(Read accompanying instructions carefully before completing this form.)

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized to discharge into state surface waters under Ohio EPA's NPDES general permit program. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. Complete all required information as indicated by the instructions. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. A check for the proper amount must accompany this form and be made payable to "Treasurer, State of Ohio." (See the fee table in Attachment C of the NOI instructions for the appropriate processing fee.)

I. Applicant Information/Mailing Address

Company (Applicant) Name: Paulding Wind Farm III, LLC

Mailing (Applicant) Address: 808 Travis Street, Suite 700

City: Houston

State: Texas

Zip Code: 77002

Contact Person: Wayne Beck

Phone: (419) 263-0137

Fax: (419) 263-0151

Contact E-mail Address: wayne.beck@edpr.com

II. Facility/Site Location Information

Facility Name: Timber Road Wind Farm, Phase 3

Facility Address/Location: Center of wind farm is approximately County Road 124 & Town Road 33

City: N/A

State: Ohio

Zip Code: 45813, 45880

County(ies): Paulding

Township(s): Harrison & Benton

Facility Contact Person: Wayne Beck

Phone: (419) 263-0137

Fax: (419) 263-0151

Facility Contact E-mail Address: wayne.beck@edpr.com

(For Construction & Coal, must complete lat/long & attach map) Latitude: 41.120764

Longitude: -84.754878

Receiving Stream or MS4: unnamed tributaries to Flatrock Creek and unnamed tributaries to Maumee River

III. General Permit Information

General Permit Number: OHC000004 Construction Storm Water

Initial Coverage: ☒ Renewal Coverage: ☐

Type of Activity: All Construction Storm Water - 20 or more acres disturbed Fee = \$500

SIC Code(s): Click here to enter text.

Existing NPDES Permit Number:

ODNR Coal Mining Application Number:

If Household Sewage Treatment System, is system for: ☐ new home construction or ☐ replacement of failed

Outfall:	Design Flow (MGD):	Associated Permit Effluent Table:	Latitude:	Longitude:
#.	Flow.	Choose an item.	Click here.	Click here.

Are These Permits Required? PTI Choose item. Individual 401 Water Quality Certification Yes - Approved

Isolated Wetland No

USACE Nationwide Permit Yes - Approved

Individual NPDES No

Proposed Project Start Date: 9/01/2016

Estimated Completion Date: 9/01/2018

Total Land Disturbance (Acres): 1300 +/-

MS4 Drainage Area (Sq. Miles): N/A

IV. Payment Information

Check #: Click here to enter text.

Check Amount: \$500.00

Date of Check: Click here to enter a date.

For Ohio EPA Use Only

Check ID (OFA): _____ ORG #: _____

Rev ID: _____ DOC #: _____

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Applicant Name: Wayne Beck

Title: Site Manager

Applicant Signature: Wayne Beck

Date: 4/12/2016

Exhibit 3: OHC000004

OHIO E.P.A.

APR 11 2013

ENTERED DIRECTOR'S JOURNAL

Issuance Date: April 11, 2013

Effective Date: April 21, 2013

Expiration Date: April 20, 2018

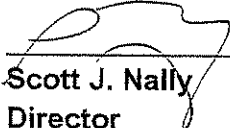
OHIO ENVIRONMENTAL PROTECTION AGENCY

**GENERAL PERMIT AUTHORIZATION FOR STORM WATER DISCHARGES ASSOCIATED
WITH CONSTRUCTION ACTIVITY UNDER THE NATIONAL POLLUTANT
DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the federal Water Pollution Control Act, as amended (33 U.S.C. Section 1251 et. seq. hereafter referred to as "the Act") and the Ohio Water Pollution Control Act [Ohio Revised Code ("ORC") Chapter 6111], dischargers of storm water from sites where construction activity is being conducted, as defined in Part I.B of this permit, are authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA," to discharge from the outfalls at the sites and to the receiving surface waters of the state identified in their Notice of Intent ("NOI") application form on file with Ohio EPA in accordance with the conditions specified in Parts I through VII of this permit.

It has been determined that a lowering of water quality of various waters of the state associated with granting coverage under this permit is necessary to accommodate important social and economic development in the state of Ohio. In accordance with OAC 3745-1-05, this decision was reached only after examining a series of technical alternatives, reviewing social and economic issues related to the degradation, and considering all public and intergovernmental comments received concerning the proposal.

This permit is conditioned upon payment of applicable fees, submittal of a complete NOI application form and written approval of coverage from the director of Ohio EPA in accordance with Ohio Administrative Code ("OAC") Rule 3745-38-02.



Scott J. Nally
Director

**I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.**

By: Jonh Lassiter Date: 4-11-13

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PART I. COVERAGE UNDER THIS PERMIT

A. Permit Area.

This permit covers the entire State of Ohio.

B. Eligibility.

1. Construction activities covered. Except for storm water discharges identified under Part I.B.2, this permit may cover all new and existing discharges composed entirely of storm water discharges associated with construction activity that enter surface waters of the state or a storm drain leading to surface waters of the state.

For the purposes of this permit, construction activities include any clearing, grading, excavating, grubbing and/or filling activities that disturb the threshold acreage described in the next paragraph. Discharges from trench dewatering are also covered by this permit as long as the dewatering activity is carried out in accordance with the practices outlined in Part III.G.2.g.iv of this permit.

Construction activities disturbing one or more acres of total land, or will disturb less than one acre of land but are part of a larger common plan of development or sale that will ultimately disturb one or more acres of land will be eligible for coverage under this permit. The threshold acreage includes the entire area disturbed in the larger common plan of development or sale.

This permit also authorizes storm water discharges from support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided:

- a. The support activity is directly related to a construction site that is required to have NPDES permit coverage for discharges of storm water associated with construction activity;
 - b. The support activity is not a commercial operation serving multiple unrelated construction projects and does not operate beyond the completion of the construction activity at the site it supports;
 - c. Appropriate controls and measures are identified in a storm water pollution prevention plan (SWP3) covering the discharges from the support activity; and
 - d. The support activity is on or contiguous with the property defined in the NOI (offsite borrow pits and soil disposal areas, which serve only one project, do not have to be contiguous with the construction site).
2. Limitations on coverage. The following storm water discharges associated with construction activity are not covered by this permit:
 - a. Storm water discharges that originate from the site after construction activities have been completed, including any temporary support activity, and the site has achieved

final stabilization. Industrial post-construction storm water discharges may need to be covered by an NPDES permit;

- b. Storm water discharges associated with construction activity that the director has shown to be or may reasonably expect to be contributing to a violation of a water quality standard; and
 - c. Storm water discharges authorized by an individual NPDES permit or another NPDES general permit;
3. Waivers. After March 10, 2003, sites whose larger common plan of development or sale have at least one, but less than five acres of land disturbance, which would otherwise require permit coverage for storm water discharges associated with construction activities, may request that the director waive their permit requirement. Entities wishing to request such a waiver must certify in writing that the construction activity meets one of the two waiver conditions:
- a. Rainfall Erosivity Waiver. For a construction site to qualify for the rainfall erosivity waiver, the cumulative rainfall erosivity over the project duration must be five or less and the site must be stabilized with a least a 70 percent vegetative cover or other permanent, non-erosive cover. The rainfall erosivity must be calculated according to the method in U.S. EPA Fact Sheet 3.1 Construction Rainfall Erosivity Waiver dated January 2001 and be found at: http://epa.ohio.gov/portals/35/permits/USEPAfact3-1_s.pdf. If it is determined that a construction activity will take place during a time period where the rainfall erosivity factor is less than five, a written waiver certification must be submitted to Ohio EPA at least 21 days before construction activity is scheduled to begin. If the construction activity will extend beyond the dates specified in the waiver certification, the operator must either: (a) recalculate the waiver using the original start date with the new ending date (if the R factor is still less than five, a new waiver certification must be submitted) or (b) submit an NOI application form and fee for coverage under this general permit at least seven days prior to the end of the waiver period; or
 - b. TMDL (Total Maximum Daily Load) Waiver. Storm water controls are not needed based on a TMDL approved or established by U.S. EPA that addresses the pollutant(s) of concern or, for non-impaired waters that do not require TMDLs, and equivalent analysis that determines allocations for small construction sites for the pollutant(s) of concern or that determines that such allocations are not needed to protect water quality based on consideration of existing in-stream concentrations, expected growth in pollutant contributions from all sources, and a margin of safety. The pollutant(s) of concern include sediment or a parameter that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment of any water body that will receive a discharge from the construction activity. The operator must certify to the director of Ohio EPA that the construction activity will take place, and storm water discharges will occur, within the drainage area addressed by the TMDL or equivalent analysis. A written waiver certification must be submitted to Ohio EPA at least 21 days before the construction activity is scheduled to begin.

4. Prohibition on non-storm water discharges. All discharges covered by this permit must be composed entirely of storm water with the exception of the following: discharges from firefighting activities; fire hydrant flushings; potable water sources including waterline flushings; irrigation drainage; lawn watering; routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; uncontaminated ground water from trench or well point dewatering and foundation or footing drains where flows are not contaminated with process materials such as solvents. Dewatering activities must be done in compliance with Part II.C and Part III.G.2.g.iv of this permit. Discharges of material other than storm water or the authorized non-storm water discharges listed above must comply with an individual NPDES permit or an alternative NPDES general permit issued for the discharge.

Except for flows from firefighting activities, sources of non-storm water listed above that are combined with storm water discharges associated with construction activity must be identified in the SWP3. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

5. Spills and unintended releases (Releases in excess of Reportable Quantities). This permit does not relieve the permittee of the reporting requirements of Title 40 of the Code of Federal Regulations ("CFR") Part 117 and 40 CFR Part 302. In the event of a spill or other unintended release, the discharge of hazardous substances in the storm water discharge(s) from a construction site must be minimized in accordance with the applicable storm water pollution prevention plan for the construction activity and in no case, during any 24-hour period, may the discharge(s) contain a hazardous substance equal to or in excess of reportable quantities.

40 CFR Part 117 sets forth a determination of the reportable quantity for each substance designated as hazardous in 40 CFR Part 116. The regulation applies to quantities of designated substances equal to or greater than the reportable quantities, when discharged to surface waters of the state. 40 CFR Part 302 designates under section 102(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, those substances in the statutes referred to in section 101(14), identifies reportable quantities for these substances and sets forth the notification requirements for releases of these substances. This regulation also sets forth reportable quantities for hazardous substances designated under section 311(b)(2)(A) of the Clean Water Act (CWA).

C. Requiring an individual NPDES permit or an alternative NPDES general permit.

1. The director may require an alternative permit. The director may require any operator eligible for this permit to apply for and obtain either an individual NPDES permit or coverage under an alternative NPDES general permit in accordance with OAC Rule 3745-38-04. Any interested person may petition the director to take action under this paragraph.

The director will send written notification that an alternative NPDES permit is required. This notice shall include a brief statement of the reasons for this decision, an application

form and a statement setting a deadline for the operator to file the application. If an operator fails to submit an application in a timely manner as required by the director under this paragraph, then coverage, if in effect, under this permit is automatically terminated at the end of the day specified for application submittal.

2. Operators may request an individual NPDES permit. Any owner or operator eligible for this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application with reasons supporting the request to the director in accordance with the requirements of 40 CFR 122.26. If the reasons adequately support the request, the director shall grant it by issuing an individual NPDES permit.
3. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit or the owner or operator is approved for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of approval for coverage under the alternative general permit, whichever the case may be.

D. Permit requirements when portions of a site are sold

If an operator obtains a permit for a development, and then the operator (permittee) sells off lots or parcels within that development, permit coverage must be continued on those lots until a Notice of Termination (NOT) in accordance with Part IV.B is submitted. For developments which require the use of centralized sediment and erosion controls (i.e., controls that address storm water runoff from one or more lots) for which the current permittee intends to terminate responsibilities under this permit for a lot after sale of the lot to a new owner and such termination will either prevent or impair the implementation of the controls and therefore jeopardize compliance with the terms and conditions of this permit, the permittee will be required to maintain responsibility for the implementation of those controls. For developments where this is not the case, it is the permittee's responsibility to temporarily stabilize all lots sold to individual lot owners unless an exception is approved in accordance with Part III.G.4. In cases where permit responsibilities for individual lot(s) will be terminated after sale of the lot, the permittee shall inform the individual lot owner of the obligations under this permit and ensure that the Individual Lot NOI application is submitted to Ohio EPA.

E. Authorization

1. Obtaining authorization to discharge. Operators that discharge storm water associated with construction activity must submit an NOI application form in accordance with the requirements of Part I.F of this permit to obtain authorization to discharge under this general permit. As required under OAC Rule 3745-38-06(E), the director, in response to the NOI submission, will notify the applicant in writing that he/she has or has not been granted general permit coverage to discharge storm water associated with construction activity under the terms and conditions of this permit or that the applicant must apply for an individual NPDES permit or coverage under an alternate general NPDES permit as described in Part I.C.1.
2. No release from other requirements. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations. Other permit requirements commonly associated with construction activities

include, but are not limited to, section 401 water quality certifications, isolated wetland permits, permits to install sanitary sewers or other devices that discharge or convey polluted water, permits to install drinking water lines, single lot sanitary system permits and disturbance of land which was used to operate a solid or hazardous waste facility (i.e., coverage under this NPDES general permit does not satisfy the requirements of OAC Rule 3745-27-13 or ORC Section 3734.02(H)). The issuance of this permit is subject to resolution of an antidegradation review. This permit does not relieve the permittee of other responsibilities associated with construction activities such as contacting the Ohio Department of Natural Resources, Division of Water, to ensure proper well installation and abandonment of wells.

F. Notice of Intent Requirements

1. Deadlines for notification.
 - a. Initial coverage: Operators who intend to obtain initial coverage for a storm water discharge associated with construction activity under this general permit must submit a complete and accurate NOI application form and appropriate fee at least 21 days prior to the commencement of construction activity. If more than one operator, as defined in Part VII of this general permit, will be engaged at a site, each operator shall seek coverage under this general permit. Coverage under this permit is not effective until an approval letter granting coverage from the director of Ohio EPA is received by the applicant. Where one operator has already submitted an NOI prior to other operator(s) being identified, the additional operator shall request modification of coverage to become a co-permittee. In such instances, the co-permittees shall be covered under the same facility permit number. No additional permit fee is required.
 - b. Individual lot transfer of coverage: Operators must each submit an individual lot notice of intent (Individual Lot NOI) application form (no fee required) to Ohio EPA at least seven days prior to the date that they intend to accept responsibility for permit requirements for their portion of the original permitted development from the previous permittee. The original permittee may submit an Individual Lot NOT at the time the Individual Lot NOI is submitted. Transfer of permit coverage is not granted until an approval letter from the director of Ohio EPA is received by the applicant.
2. Failure to notify. Operators who fail to notify the director of their intent to be covered and who discharge pollutants to surface waters of the state without an NPDES permit are in violation of ORC Chapter 6111. In such instances, Ohio EPA may bring an enforcement action for any discharges of storm water associated with construction activity.
3. Where to submit an NOI. Operators seeking coverage under this permit must submit a signed NOI form, provided by Ohio EPA, to the address found in the associated instructions.
4. Additional notification. NOIs and SWP3s are considered public documents and shall be made available to the public in accordance with Part III.C.2. The permittee shall make NOIs and SWP3s available upon request of the director of Ohio EPA, local agencies approving sediment and erosion control plans, grading plans or storm water management plans, local governmental officials, or operators of municipal separate storm sewer systems (MS4s) receiving drainage from the permitted site. Each operator

that discharges to an NPDES permitted MS4 shall provide a copy of its Ohio EPA NOI submission to the MS4 in accordance with the MS4's requirements, if applicable.

5. Re-notification. Existing permittees having coverage under the previous generations of this general permit (OHC000003, OHC000002 and OHR100000) shall have continuing coverage under OHC000004 with the submittal of a timely renewal application. Existing permittees will receive a renewal application and instructions for how to continue coverage under OHC000004. Within 90 days of receiving a renewal application from Ohio EPA, existing permittees shall submit the completed renewal application expressing their intent for continued coverage. In accordance with Ohio Administrative Code (OAC) 3745-38-02(E)(2)(a)(i), a renewal application fee will only apply to existing permittees having general permit coverage for 5 or more years as of the effective date of this general permit. Permit coverage will be terminated if Ohio EPA does not receive the renewal application within this 90 day period.

Part II. NON-NUMERIC EFFLUENT LIMITATIONS

You shall comply with the following non-numeric effluent limitations for discharges from your site and/or from construction support activities. Part III of this permit contains the specific design criteria to meet the objectives of the following non-numeric effluent limitations.

- A. **Erosion and Sediment Controls.** You shall design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls shall be designed, installed and maintained to:
 1. Control storm water volume and velocity within the site to minimize soil erosion;
 2. Control storm water discharges, including both peak flowrates and total storm water volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
 3. Minimize the amount of soil exposed during construction activity;
 4. Minimize the disturbance of steep slopes;
 5. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls shall address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
 6. If feasible, provide and maintain a 50-foot undisturbed natural buffer around surface waters of the state, direct storm water to vegetated areas to increase sediment removal and maximize storm water infiltration. If it is infeasible to provide and maintain an undisturbed 50-foot natural buffer, you shall comply with the stabilization requirements found in Part II.B for areas within 50 feet of a surface water; and
 7. Minimize soil compaction and, unless infeasible, preserve topsoil.

- B. Soil Stabilization.** Stabilization of disturbed areas shall, at a minimum, be initiated in accordance with the time frames specified in the following tables.

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

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 14 days
For all construction activities, any disturbed areas that will be dormant for more than 14 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 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

Where vegetative stabilization techniques may cause structural instability or are otherwise unobtainable, alternative stabilization techniques must be employed.
Permanent and temporary stabilization are defined in Part VII.

- C. Dewatering.** Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.
- D. Pollution Prevention Measures.** Design, install, implement and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented and maintained to:
1. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters shall be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;

2. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site to precipitation and to storm water; and
3. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

E. Prohibited Discharges. The following discharges are prohibited:

1. Wastewater from washout of concrete, unless managed by an appropriate control;
2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
4. Soaps or solvents used in vehicle and equipment washing.

F. Surface Outlets. When discharging from sediment basins utilize outlet structures that withdraw water from the surface, unless infeasible. (Note: Ohio EPA believes that the circumstances in which it is infeasible to design outlet structures in this manner are rare. Exceptions may include time periods with extended cold weather during winter months. If you have determined that it is infeasible to meet this requirement, you shall provide documentation in your SWP3 to support your determination.)

PART III. STORM WATER POLLUTION PREVENTION PLAN (SWP3)

A. Storm Water Pollution Prevention Plans.

A SWP3 shall be developed for each site covered by this permit. For a multi-phase construction project, a separate NOI shall be submitted when a separate SWP3 will be prepared for subsequent phases. SWP3s shall be prepared in accordance with sound engineering and/or conservation practices by a professional experienced in the design and implementation of standard erosion and sediment controls and storm water management practices addressing all phases of construction. The SWP3 shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with construction activities. The SWP3 shall be a comprehensive, stand-alone document, which is not complete unless it contains the information required by Part III.G of this permit. In addition, the SWP3 shall describe and ensure the implementation of best management practices (BMPs) that reduce the pollutants in storm water discharges during construction and pollutants associated with post-construction activities to ensure compliance with ORC Section 6111.04, OAC Chapter 3745-1 and the terms and conditions of this permit.

B. Timing

A SWP3 shall be completed prior to the timely submittal of an NOI and updated in accordance with Part III.D. Upon request and good cause shown, the director may waive the requirement to have a SWP3 completed at the time of NOI submission. If a waiver has been granted, the

SWP3 must be completed prior to the initiation of construction activities. The SWP3 must be implemented upon initiation of construction activities.

If you wish to continue coverage from the previous generations of this permit (OHR100000, OHC000002 and OHC000003) you shall review and update your SWP3 to ensure that this permit's requirements are addressed within 180 days after the effective date of this permit. If it is infeasible for you to comply with a specific requirement in this permit because (1) the provision was not part of the permit you were previously covered under (OHR100000, OHC000002 and OHC000003), and (2) because you are prevented from compliance due to the nature or location of earth disturbances that commenced prior to the effective date of this permit, you shall include documentation within your SWP3 of the reasons why it is infeasible for you to meet the specific requirement. (Note: Ohio EPA believes examples of OHC000004 permit conditions that would be infeasible for permittees renewing coverage to comply with include: (1) Post-Construction Storm Water Management requirements, if general permit coverage was obtained prior to April 21, 2003, and (2) Sediment settling pond design requirements, if the general permit coverage was obtained prior to the effective date of this permit and the sediment settling pond has been installed.)

C. SWP3 Signature and Review.

1. Plan Signature and Retention On-Site. The SWP3 shall include the certification in Part V.H, be signed in accordance with Part V.G., and be retained on site during working hours.
2. Plan Availability
 - a. On-site: The plan shall be made available immediately upon request of the director or his authorized representative and MS4 operators or their authorized representative during working hours. A copy of the NOI and letter granting permit coverage under this general permit also shall be made available at the site.
 - b. By written request: The permittee must provide the most recent copy of the SWP3 within 10 days upon written request by any of the following:
 - i. The director or the director's authorized representative;
 - ii. A local agency approving sediment and erosion plans, grading plans or storm water management plans; or
 - iii. In the case of a storm water discharge associated with construction activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the operator of the system.
 - c. To the public: All NOIs, general permit approval for coverage letters, and SWP3s are considered reports that shall be available to the public in accordance with the Ohio Public Records law. The permittee shall make documents available to the public upon request or provide a copy at public expense, at cost, in a timely manner. However, the permittee may claim to Ohio EPA any portion of an SWP3 as confidential in accordance with Ohio law.

3. Plan Revision. The director or authorized representative may notify the permittee at any time that the SWP3 does not meet one or more of the minimum requirements of this part. Within 10 days after such notification from the director or authorized representative (or as otherwise provided in the notification), the permittee shall make the required changes to the SWP3 and, if requested, shall submit to Ohio EPA the revised SWP3 or a written certification that the requested changes have been made.

D. Amendments

The permittee shall amend the SWP3 whenever there is a change in design, construction, operation or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of the state or if the SWP3 proves to be ineffective in achieving the general objectives of controlling pollutants in storm water discharges associated with construction activity. Amendments to the SWP3 may be reviewed by Ohio EPA in the same manner as Part III.C.

E. Duty to inform contractors and subcontractors

The permittee shall inform all contractors and subcontractors not otherwise defined as “operators” in Part VII of this general permit who will be involved in the implementation of the SWP3 of the terms and conditions of this general permit. The permittee shall maintain a written document containing the signatures of all contractors and subcontractors involved in the implementation of the SWP3 as proof acknowledging that they reviewed and understand the conditions and responsibilities of the SWP3. The written document shall be created and signatures shall be obtained prior to commencement of work on the construction site.

F. Total Maximum Daily Load (TMDL) allocations

If a TMDL is approved for any waterbody into which the permittee’s site discharges and requires specific BMPs for construction sites, the director may require the permittee to revise his/her SWP3.

G. SWP3 Requirements

Operations that discharge storm water from construction activities are subject to the following requirements and the SWP3 shall include the following items:

1. Site description. Each SWP3 shall provide:
 - a. A description of the nature and type of the construction activity (e.g., low density residential, shopping mall, highway, etc.);
 - b. Total area of the site and the area of the site that is expected to be disturbed (i.e., grubbing, clearing, excavation, filling or grading, including off-site borrow areas);
 - c. An estimate of the impervious area and percent imperviousness created by the construction activity;

- d. A calculation of the runoff coefficients for both the pre-construction and post-construction site conditions;
- e. Existing data describing the soil and, if available, the quality of any discharge from the site;
- f. A description of prior land uses at the site;
- g. An implementation schedule which describes the sequence of major construction operations (i.e., designation of vegetative preservation areas, grubbing, excavating, grading, utilities and infrastructure installation) and the implementation of erosion, sediment and storm water management practices or facilities to be employed during each operation of the sequence;
- h. The name and/or location of the immediate receiving stream or surface water(s) and the first subsequent named receiving water(s) and the areal extent and description of wetlands or other special aquatic sites at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project. For discharges to an MS4, the point of discharge to the MS4 and the location where the MS4 ultimately discharges to a stream or surface water of the state shall be indicated;
- i. For subdivided developments where the SWP3 does not call for a centralized sediment control capable of controlling multiple individual lots, a detail drawing of a typical individual lot showing standard individual lot erosion and sediment control practices.

This does not remove the responsibility to designate specific erosion and sediment control practices in the SWP3 for critical areas such as steep slopes, stream banks, drainage ways and riparian zones;
- j. Location and description of any storm water discharges associated with dedicated asphalt and dedicated concrete plants covered by this permit and the best management practices to address pollutants in these storm water discharges;
- k. A copy of the permit requirements (attaching a copy of this permit is acceptable);
- l. A cover page or title identifying the name and location of the site, the name and contact information of all construction site operators, the name and contact information for the person responsible for authorizing and amending the SWP3, preparation date, and the estimated dates that construction will start and be complete;
- m. A log documenting grading and stabilization activities as well as amendments to the SWP3, which occur after construction activities commence; and
- n. Site map showing:

- i. Limits of earth-disturbing activity of the site including associated off-site borrow or spoil areas that are not addressed by a separate NOI and associated SWP3;
 - ii. Soils types for all areas of the site, including locations of unstable or highly erodible soils;
 - iii. Existing and proposed contours. A delineation of drainage watersheds expected during and after major grading activities as well as the size of each drainage watershed, in acres;
 - iv. Surface water locations including springs, wetlands, streams, lakes, water wells, etc., on or within 200 feet of the site, including the boundaries of wetlands or stream channels and first subsequent named receiving water(s) the permittee intends to fill or relocate for which the permittee is seeking approval from the Army Corps of Engineers and/or Ohio EPA;
 - v. Existing and planned locations of buildings, roads, parking facilities and utilities;
 - vi. The location of all erosion and sediment control practices, including the location of areas likely to require temporary stabilization during the course of site development;
 - vii. Sediment and storm water management basins noting their sediment settling volume and contributing drainage area. Ohio EPA recommends the use of data sheets (see ODNR's Rainwater and Land Development manual for examples) to provide data for all sediment traps, sediment basins and storm water management treatment practices noting important inputs to design and resulting parameters such as their contributing drainage area, disturbed area, water quality volume, sedimentation volume, practice surface area, facility discharge and dewatering time, outlet type and dimensions;
 - viii. The location of permanent storm water management practices to be used to control pollutants in storm water after construction operations have been completed;
 - ix. Areas designated for the storage or disposal of solid, sanitary and toxic wastes, including dumpster areas, areas designated for cement truck washout, and vehicle fueling;
 - x. The location of designated construction entrances where the vehicles will access the construction site; and
 - xi. The location of any in-stream activities including stream crossings.
2. Controls. In accordance with Part II.A, the SWP3 shall contain a description of the controls appropriate for each construction operation covered by this permit and the operator(s) shall implement such controls. The SWP3 shall clearly describe for each

major construction activity identified in Part III.G.1.g: (a) appropriate control measures and the general timing (or sequence) during the construction process that the measures will be implemented; and (b) which contractor is responsible for implementation (e.g., contractor A will clear land and install perimeter controls and contractor B will maintain perimeter controls until final stabilization). The SWP3 shall identify the subcontractors engaged in activities that could impact storm water runoff. The SWP3 shall contain signatures from all of the identified subcontractors indicating that they have been informed and understand their roles and responsibilities in complying with the SWP3. Ohio EPA recommends that the primary site operator review the SWP3 with the primary contractor prior to commencement of construction activities and keep a SWP3 training log to demonstrate that this review has occurred.

Ohio EPA recommends that the erosion, sediment, and storm water management practices used to satisfy the conditions of this permit should meet the standards and specifications in the most current edition of Ohio's Rainwater and Land Development (see definitions) manual or other standards acceptable to Ohio EPA. The controls shall include the following minimum components:

- a. Non-Structural Preservation Methods. The SWP3 shall make use of practices which preserve the existing natural condition as much as feasible. Such practices may include: preserving existing vegetation and vegetative buffer strips, phasing of construction operations in order to minimize the amount of disturbed land at any one time and designation of tree preservation areas or other protective clearing or grubbing practices. For all construction activities immediately adjacent to surface waters of the state, the permittee shall comply with the buffer non-numeric effluent limitation in Part II.A.6, as measured from the ordinary high water mark of the surface water.
- b. Erosion Control Practices. The SWP3 shall make use of erosion controls that are capable of providing cover over disturbed soils unless an exception is approved in accordance with Part III.G.4. A description of control practices designed to restabilize disturbed areas after grading or construction shall be included in the SWP3. The SWP3 shall provide specifications for stabilization of all disturbed areas of the site and provide guidance as to which method of stabilization will be employed for any time of the year. Such practices may include: temporary seeding, permanent seeding, mulching, matting, sod stabilization, vegetative buffer strips, phasing of construction operations, use of construction entrances and the use of alternative ground cover.
 - i. **Stabilization.** Disturbed areas shall be stabilized in accordance with Table 1 (Permanent Stabilization) and Table 2 (Temporary Stabilization) in Part II.B of this permit.
 - ii. **Permanent stabilization of conveyance channels.** Operators shall undertake special measures to stabilize channels and outfalls and prevent erosive flows. Measures may include seeding, dormant seeding (as defined in the most current edition of the Rainwater and Land Development manual), mulching, erosion control matting, sodding, riprap, natural channel design with bioengineering techniques or rock check dams.

- c. Runoff Control Practices. The SWP3 shall incorporate measures which control the flow of runoff from disturbed areas so as to prevent erosion from occurring. Such practices may include rock check dams, pipe slope drains, diversions to direct flow away from exposed soils and protective grading practices. These practices shall divert runoff away from disturbed areas and steep slopes where practicable. Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected.
- d. Sediment Control Practices. The plan shall include a description of structural practices that shall store runoff allowing sediments to settle and/or divert flows away from exposed soils or otherwise limit runoff from exposed areas. Structural practices shall be used to control erosion and trap sediment from a site remaining disturbed for more than 14 days. Such practices may include, among others: sediment settling ponds, silt fences, earth diversion dikes or channels which direct runoff to a sediment settling pond and storm drain inlet protection. All sediment control practices must be capable of ponding runoff in order to be considered functional. Earth diversion dikes or channels alone are not considered a sediment control practice unless those are used in conjunction with a sediment settling pond.

The SWP3 shall contain detail drawings for all structural practices.

- i. **Timing.** Sediment control structures shall be functional throughout the course of earth disturbing activity. Sediment basins and perimeter sediment barriers shall be implemented prior to grading and within seven days from the start of grubbing. They shall continue to function until the up slope development area is restabilized. As construction progresses and the topography is altered, appropriate controls shall be constructed or existing controls altered to address the changing drainage patterns.
- ii. **Sediment settling ponds.** A sediment settling pond is required for any one of the following conditions:
- Concentrated storm water runoff (e.g., storm sewer or ditch);
 - Runoff from drainage areas, which exceed the design capacity of silt fence or other sediment barriers;
 - Runoff from drainage areas that exceed the design capacity of inlet protection; or
 - Runoff from common drainage locations with 10 or more acres of disturbed land.

The permittee may request approval from Ohio EPA to use alternative controls if the permittee can demonstrate the alternative controls are equivalent in effectiveness to a sediment settling pond.

In accordance with Part II.F, if feasible, sediment settling ponds shall be dewatered at the pond surface using a skimmer or equivalent device. The sediment settling pond volume consists of both a dewatering zone and a sediment storage zone. The volume of the dewatering zone shall

be a minimum of 1800 cubic feet (ft³) per acre of drainage (67 yd³/acre) with a minimum 48-hour drain time for sediment basins serving a drainage area over 5 acres. The volume of the sediment storage zone shall be calculated by one of the following methods:

Method 1: The volume of the sediment storage zone shall be 1000 ft³ per disturbed acre within the watershed of the basin. OR

Method 2: The volume of the sediment storage zone shall be the volume necessary to store the sediment as calculated with RUSLE or a similar generally accepted erosion prediction model.

The accumulated sediment shall be removed from the sediment storage zone once it's full. When determining the total contributing drainage area, off-site areas and areas which remain undisturbed by construction activity shall be included unless runoff from these areas is diverted away from the sediment settling pond and is not co-mingled with sediment-laden runoff. The depth of the dewatering zone shall be less than or equal to five feet. The configuration between inlets and the outlet of the basin shall provide at least two units of length for each one unit of width (> 2:1 length:width ratio); however, a length to width ratio of 4:1 is recommended. When designing sediment settling ponds, the permittee shall consider public safety, especially as it relates to children, as a design factor for the sediment basin and alternative sediment controls shall be used where site limitations would preclude a safe design. The use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal is encouraged.

- 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 following table:

Silt Fence Maximum Drainage Area Based on Slope

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.

- iv. **Inlet Protection.** Other erosion and sediment control practices shall minimize sediment laden water entering active storm drain systems, unless the storm drain system drains to a sediment settling pond. All inlets receiving runoff from drainage areas of one or more acres will require a sediment settling pond.
- v. **Surface Waters of the State Protection.** If construction activities disturb areas adjacent to surface waters of the state, structural practices shall be designed and implemented on site to protect all adjacent surface waters of the state from the impacts of sediment runoff. No structural sediment controls (e.g., the installation of silt fence or a sediment settling pond) shall be used in a surface water of the state. For all construction activities immediately adjacent to surface waters of the state, the permittee shall comply with the buffer non-numeric effluent limitation in Part II.A.6, as measured from the ordinary high water mark of the surface water. Where impacts within this buffer area are unavoidable, due to the nature of the construction (e.g., stream crossings for roads or utilities), the project shall be designed such that the number of stream crossings and the width of the disturbance within the buffer area are minimized.
- vi. **Modifying Controls.** If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the permittee shall replace or modify the control for site conditions.
- e. **Post-Construction Storm Water Management Requirements.** So that receiving stream's physical, chemical and biological characteristics are protected and stream functions are maintained, post-construction storm water practices shall provide perpetual management of runoff quality and quantity. To meet the post-construction requirements of this permit, the SWP3 shall contain a description of the post-construction BMPs that will be installed during construction for the site and the rationale for their selection. The rationale shall address the anticipated impacts on the channel and floodplain morphology, hydrology, and water quality. Post-construction BMPs cannot be installed within a surface water of the state (e.g., wetland or stream) unless it's authorized by a CWA 401 water quality certification, CWA 404 permit, or Ohio EPA non-jurisdictional wetland/stream program approval. Note: localities may have more stringent post-construction requirements.

Detail drawings and maintenance plans shall be provided for all post-construction BMPs. Maintenance plans shall be provided by the permittee to the post-construction operator of the site (including homeowner associations) upon completion of construction activities (prior to termination of permit coverage). For sites located within a community with a regulated municipal separate storm sewer system (MS4), the permittee, land owner, or other entity with legal control of the property may be required to develop and implement a maintenance plan to comply with the requirements of the MS4. Maintenance plans shall ensure that pollutants collected within structural post-construction practices, be disposed of in accordance with local, state, and federal regulations. To ensure that storm water management systems function as they were designed and constructed, the post-construction operation and maintenance plan shall be a stand-alone

document, which contains: (1) a designated entity for storm water inspection and maintenance responsibilities; (2) the routine and non-routine maintenance tasks to be undertaken; (3) a schedule for inspection and maintenance; (4) any necessary legally binding maintenance easements and agreements; and (5) a map showing all access and maintenance easements. Permittees are not responsible under this permit for operation and maintenance of post-construction practices once coverage under this permit is terminated.

Post-construction storm water BMPs that discharge pollutants from point sources once construction is completed, may in themselves, need authorization under a separate NPDES permit (one example is storm water discharges from regulated industrial sites).

Construction activities that do not include the installation of any impervious surface (e.g., soccer fields), abandoned mine land reclamation activities regulated by the Ohio Department of Natural Resources, stream and wetland restoration activities, and wetland mitigation activities are not required to comply with the conditions of Part III.G.2.e of this permit. Linear construction projects, (e.g., pipeline or utility line installation), which do not result in the installation of additional impervious surface, are not required to comply with the conditions of Part III.G.2.e of this permit. However, linear construction projects shall be designed to minimize the number of stream crossings and the width of disturbance and achieve final stabilization of the disturbed area as defined in Part VII.J.1.

Large Construction Activities. For all large construction activities (involving the disturbance of five or more acres of land or will disturb less than five acres, but is a part of a larger common plan of development or sale which will disturb five or more acres of land), the post construction BMP(s) chosen shall be able to detain storm water runoff for protection of the stream channels, stream erosion control, and improved water quality. The BMP(s) chosen must be compatible with site and soil conditions. Structural post-construction storm water treatment practices shall be incorporated into the permanent drainage system for the site. The BMP(s) chosen must be sized to treat the water quality volume (WQ_v) and ensure compliance with Ohio's Water Quality Standards in OAC Chapter 3745-1. The WQ_v shall be equivalent to the volume of runoff from a 0.75-inch rainfall and shall be determined according to the following equation:

$$WQ_v = C * P * A / 12$$

where:

WQ_v = water quality volume in acre-feet

C = runoff coefficient appropriate for storms less than 1 inch

(Either use the following formula: $C = 0.858i^3 - 0.78i^2 + 0.774i + 0.04$,

where i = fraction of post-construction impervious surface or use Table 1)

P = 0.75 inch precipitation depth

A = area draining into the BMP in acres

Table 1
Runoff Coefficients Based on the Type of Land Use

Land Use	Runoff Coefficient
Industrial & Commercial	0.8
High Density Residential (>8 dwellings/acre)	0.5
Medium Density Residential (4 to 8 dwellings/acre)	0.4
Low Density Residential (<4 dwellings/acre)	0.3
Open Space and Recreational Areas	0.2

Where the land use will be mixed, the runoff coefficient should be calculated using a weighted average. For example, if 60% of the contributing drainage area to the storm water treatment structure is Low Density Residential, 30% is High Density Residential, and 10% is Open Space, the runoff coefficient is calculated as follows $(0.6)(0.3) + (0.3)(0.5) + (0.1)(0.2) = 0.35$.

An additional volume equal to 20 percent of the WQ_v shall be incorporated into the BMP for sediment storage. Ohio EPA recommends that BMPs be designed according to the methodology included in the most current edition of the Rainwater and Land Development manual or in another design manual acceptable for use by Ohio EPA.

The BMPs listed in Table 2 below shall be considered standard BMPs approved for general use. However communities with a regulated MS4 may limit the use of some of these BMPs. BMPs shall be designed such that the drain time is long enough to provide treatment, but short enough to provide storage for successive rainfall events and avoid the creation of nuisance conditions. The outlet structure for the post-construction BMP shall not discharge more than the first half of the WQ_v or extended detention volume (EDv) in less than one-third of the drain time. The EDv is the volume of storm water runoff that must be detained by a structural post-construction BMP. The EDv is equal to 75 percent of the WQ_v for wet extended detention basins, but is equal to the WQ_v for all other BMPs listed in Table 2.

Table 2
Structural Post-Construction BMPs & Associated
Drain (Drawdown) Times

Best Management Practice	Drain Time of WQv
Infiltration Basin or Trench ¹	48 hours
Permeable Pavement – Infiltration ¹	48 hours
Permeable Pavement – Extended Detention	24 hours
Dry Extended Detention Basin ²	48 hours
Wet Extended Detention Basin ³	24 hours
Constructed Wetland (above permanent pool) ⁴	24 hours
Sand & Other Media Filtration ⁵	24 hours
Bioretention Area/Cell ^{5,6}	24 hours
Pocket Wetland ⁷	24 hours

¹ Practices that are designed to fully infiltrate the WQv (basin, trench, permeable pavement) shall empty within 48 hours to provide storage for the subsequent storm events.

² Dry basins must include forebay and micropool each sized at 10% of the WQv.

³ Provide both a permanent pool and an EDv above the permanent pool, each sized at 0.75 WQv.

⁴ Extended detention shall be provided for the WQv above the permanent water pool.

⁵ The surface ponding area (WQv) shall completely empty within 24 hours so that there is no standing water. Shorter drawdown times are acceptable as long as design criteria in Ohio's Rainwater and Land Development manual have been met.

⁶ This would include Grassed Linear Bioretention which was previously called Enhanced Water Quality Swale.

⁷ Pocket wetlands must have a wet pool equal to the WQv, with 25% of the WQv in a pool and 75% in marshes. The EDv above the permanent pool must be equal to the WQv.

The permittee may request approval from Ohio EPA to use alternative structural post-construction BMPs if the permittee can demonstrate that the alternative BMPs are equivalent in effectiveness to those listed in Table 2 above.

Construction activities shall be exempt from this condition if it can be demonstrated that the WQ_v is provided within an existing structural post-construction BMP that is part of a larger common plan of development or if structural post-construction BMPs are addressed in a regional or local storm water management plan. A municipally operated regional storm water BMP can be used as a post-construction BMP provided that the BMP can detain the WQv from its entire drainage area and release it over a 24 hour period.

Transportation Projects. The construction of new roads and roadway improvement projects by public entities (i.e., the state, counties, townships, cities, or villages) may implement post-construction BMPs in compliance with the current version (as of the effective date of this permit) of the Ohio Department of Transportation's "Location and Design Manual, Volume Two Drainage Design" that has been accepted by Ohio EPA as an alternative to the conditions of this permit.

Offsite Mitigation of Post-Construction. Ohio EPA may authorize the offsite mitigation of the post-construction requirements of Part III.G.2.e of this permit on a case by case basis provided the permittee clearly demonstrates the BMPs listed in Table 2 are not feasible and the following criteria is met: (1) a maintenance agreement or policy is established to ensure operations and treatment in perpetuity; (2) the offsite location discharges to the same HUC-14 watershed unit; and (3) the mitigation ratio of the WQv is 1.5 to 1 or the WQv at the point of retrofit, whichever is greater. Requests for offsite mitigation must be received prior to receipt of the NOI applications.

Redevelopment Projects Sites that have been previously developed where no post-construction BMPs were installed shall either ensure a 20 percent net reduction of the site impervious area, provide for treatment of at least 20 percent of the WQv, or a combination of the two. A one-for-one credit towards the 20 percent net reduction of impervious area can be obtained through the use of green roofs. Where projects are a combination of new development and redevelopment, the total WQv that must be treated shall be calculated by a weighted average based on acreage, with the new development at 100 percent WQv and redevelopment at 20 percent WQv.

Non-Structural Post-Construction BMPs The size of the structural post-construction can be reduced by incorporating non-structural post-construction BMPs into the design. Practices such as preserving open space will reduce the runoff coefficient and, thus, the WQv. Ohio EPA encourages the implementation of riparian and wetland setbacks. Practices which reduce storm water runoff include green roofs, rain barrels, conservation development, smart growth, low-impact development, and other site design techniques. For examples, see the Ohio Lake Erie Commission's Balanced Growth Program at <http://balancedgrowth.ohio.gov/>.

In order to promote the implementation of such practices, the Director may consider the use of non-structural practices to demonstrate compliance with Part III.G.2.e of this permit for areas of the site not draining into a common drainage system of the site, i.e., sheet flow from perimeter areas such as the rear yards of residential lots, for low density development scenarios, or where the permittee can demonstrate that the intent of pollutant removal and stream protection, as required in Part III.G.2.e of this permit is being addressed through non-structural post-construction BMPs based upon review and approval by Ohio EPA.

Use of Alternative Post-Construction BMPs This permit does not preclude the use of innovative or experimental post-construction storm water management technologies. However, the Director may require these practices to be tested using the protocol outlined in the Technology Acceptance Reciprocity Partnership's (TARP) Protocol for Stormwater Best Management Practice Demonstrations or other approvable protocol. For guidance, see the following:

- <http://www.njstormwater.org>
- <http://www.mastep.net/>

The Director may require discharges from such structures to be monitored to ensure compliance with Part III.G.2.e of this permit. Permittees shall request

approval from Ohio EPA to use alternative post-construction BMPs if the permittee can demonstrate that the alternative BMPs are equivalent in effectiveness to those listed in Table 2 above. To demonstrate this equivalency, the permittee shall show that the alternative BMP has a minimum total suspended solids (TSS) removal efficiency of 80 percent under both laboratory and field conditions. Tests shall be conducted by an independent, third party tester. Also, the WQv discharge rate from the practice shall be reduced to prevent stream bed erosion and protect the physical and biological stream integrity unless there will be negligible hydrological impact to the receiving surface water of the state. The discharges will have a negligible impact if the permittee can demonstrate that one of the following four conditions exist:

- i. The entire WQv is recharged to groundwater;
- ii. The larger common plan of development or sale will create less than one acre of impervious surface;
- iii. The project is a redevelopment project within an ultra-urban setting (i.e., a downtown area or on a site where 100 percent of the project area is already impervious surface and the storm water discharge is directed into an existing storm sewer system); or
- iv. The storm water drainage system of the development discharges directly into a large river (fourth order or greater) or to a lake and where the development area is less than 5 percent of the watershed area upstream of the development site, unless a TMDL identified water quality problems into the receiving surface waters of the state.

The Director shall only consider the use of alternative BMPs on projects where the permittee can demonstrate that the implementation of the BMPs listed in Table 2 is infeasible due to physical site constraints that prevent the ability to provide functional BMP design. Alternative practices may include, but are not limited to, underground detention structures, vegetated swales and vegetated filter strips designed using water quality flow, natural depressions, rain barrels, green roofs, rain gardens, catch basin inserts, and hydrodynamics separators. The Director may also consider non-structural post-construction approaches where no local requirements for such practices exist.

Small Construction Activities For all small land disturbance activities (which disturb one or more, but less than five acres of land and is not a part of a larger common plan of development or sale which will disturb five or more acres of land), a description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed must be included in the SWP3. Structural measures should be placed on upland soils to the degree attainable. Such practices may include, but are not limited to: storm water detention structures (including wet basins); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The SWP3 shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed pre-development levels.

- f. Surface Water Protection. If the project site contains any streams, rivers, lakes, wetlands or other surface waters, certain construction activities at the site may be regulated under the CWA and/or state isolated wetland permit requirements. Sections 404 and 401 of the Act regulate the discharge of dredged or fill material into surface waters and the impacts of such activities on water quality, respectively. Construction activities in surface waters which may be subject to CWA regulation and/or state isolated wetland permit requirements include, but are not limited to: sewer line crossings, grading, backfilling or culverting streams, filling wetlands, road and utility line construction, bridge installation and installation of flow control structures. If the project contains streams, rivers, lakes or wetlands or possible wetlands, the permittee shall contact the appropriate U.S. Army Corps of Engineers District Office. (CAUTION: Any area of seasonally wet hydric soil is a potential wetland - please consult the Soil Survey and list of hydric soils for your County, available at your county's Soil and Water Conservation District. If you have any questions about Section 401 water quality certification, please contact the Ohio Environmental Protection Agency, Section 401 Coordinator.)

U.S. Army Corps of Engineers (Section 404 regulation):

- Huntington, WV District (304) 399-5210 (Muskingum River, Hocking River, Scioto River, Little Miami River, and Great Miami River Basins)
- Buffalo, NY District (716) 879-4330 (Lake Erie Basin)
- Pittsburgh, PA District (412) 395-7155 (Mahoning River Basin)
- Louisville, KY District (502) 315-6686 (Ohio River)

Ohio EPA 401/404 and non-jurisdictional stream/wetland coordinator can be contacted at (614) 644-2001 (all of Ohio)

Concentrated storm water runoff from BMPs to natural wetlands shall be converted to diffuse flow before the runoff enters the wetlands. The flow should be released such that no erosion occurs downslope. Level spreaders may need to be placed in series, particularly on steep sloped sites, to ensure non-erosive velocities. Other structural BMPs may be used between storm water features and natural wetlands, in order to protect the natural hydrology, hydroperiod, and wetland flora. If the applicant proposes to discharge to natural wetlands, a hydrologic analysis shall be performed. The applicant shall attempt to match the pre-development hydroperiods and hydrodynamics that support the wetland. The applicant shall assess whether their construction activity will adversely impact the hydrologic flora and fauna of the wetland. Practices such as vegetative buffers, infiltration basins, conservation of forest cover, and the preservation of intermittent streams, depressions, and drainage corridors may be used to maintain wetland hydrology.

- g. Other controls.

- i. **Non-Sediment Pollutant Controls.** In accordance with Part II.E, no solid (other than sediment) or liquid waste, including building materials, shall be discharged in storm water runoff. The permittee must implement all necessary BMPs to prevent the discharge of non-sediment pollutants to the drainage system of the site or surface waters of the state. Under

no circumstance shall wastewater from the washout of concrete trucks, stucco, paint, form release oils, curing compounds, and other construction materials be discharged directly into a drainage channel, storm sewer or surface waters of the state. Also, no pollutants from vehicle fuel, oils, or other vehicle fluids can be discharged to surface waters of the state. No exposure of storm water to waste materials is recommended. The SWP3 must include methods to minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, and sanitary waste to precipitation, storm water runoff, and snow melt. In accordance with Part II.D.3, the SWP3 shall include measures to prevent and respond to chemical spills and leaks. You may also reference the existence of other plans (i.e., Spill Prevention Control and Countermeasure (SPCC) plans, spill control programs, Safety Response Plans, etc.) provided that such plan addresses conditions of this permit condition and a copy of such plan is maintained on site.

- ii. **Off-site traffic.** Off-site vehicle tracking of sediments and dust generation shall be minimized. In accordance with Part II.D.1, the SWP3 shall include methods to minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. No detergents may be used to wash vehicles. Wash waters shall be treated in a sediment basin or alternative control that provides equivalent treatment prior to discharge.
- iii. **Compliance with other requirements.** The SWP3 shall be consistent with applicable State and/or local waste disposal, sanitary sewer or septic system regulations, including provisions prohibiting waste disposal by open burning and shall provide for the proper disposal of contaminated soils to the extent these are located within the permitted area.
- iv. **Trench and ground water control.** In accordance with Part II.C, there shall be no turbid discharges to surface waters of the state resulting from dewatering activities. If trench or ground water contains sediment, it shall pass through a sediment settling pond or other equally effective sediment control device, prior to being discharged from the construction site. Alternatively, sediment may be removed by settling in place or by dewatering into a sump pit, filter bag or comparable practice. Ground water which does not contain sediment or other pollutants is not required to be treated prior to discharge. However, care must be taken when discharging ground water to ensure that it does not become pollutant-laden by traversing over disturbed soils or other pollutant sources.
- v. **Contaminated Sediment.** Where construction activities are to occur on sites with contamination from previous activities, operators shall be aware that concentrations of materials that meet other criteria (is not considered a Hazardous Waste, meeting VAP standards, etc.) may still result in storm water discharges in excess of Ohio Water Quality Standards. Such discharges are not authorized by this permit. Appropriate BMPs include, but are not limited to:

- The use of berms, trenches, and pits to collect contaminated runoff and prevent discharges;
- Pumping runoff into a sanitary sewer (with prior approval of the sanitary sewer operator) or into a container for transport to an appropriate treatment/disposal facility; and
- Covering areas of contamination with tarps or other methods that prevent storm water from coming into contact with the material.

Operators should consult with Ohio EPA Division of Surface Water prior to seeking permit coverage.

- h. Maintenance. All temporary and permanent control practices shall be maintained and repaired as needed to ensure continued performance of their intended function. All sediment control practices must be maintained in a functional condition until all up slope areas they control are permanently stabilized. The SWP3 shall be designed to minimize maintenance requirements. The applicant shall provide a description of maintenance procedures needed to ensure the continued performance of control practices.
- i. Inspections. At a minimum, procedures in an SWP3 shall provide that all controls on the site are inspected at least once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24 hour period. The inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized or runoff is unlikely due to weather conditions (e.g., site is covered with snow, ice, or the ground is frozen). A waiver of inspection requirements is available until one month before thawing conditions are expected to result in a discharge if all of the following conditions are met: the project is located in an area where frozen conditions are anticipated to continue for extended periods of time (i.e., more than one month); land disturbance activities have been suspended; and the beginning and ending dates of the waiver period are documented in the SWP3. Once a definable area is finally stabilized, the area may be marked on the SWP3 and no further inspection requirements apply to that portion of the site. The permittee shall assign "qualified inspection personnel" to conduct these inspections to ensure that the control practices are functional and to evaluate whether the SWP3 is adequate and properly implemented in accordance with the schedule proposed in Part III.G.1.g of this permit or whether additional control measures are required.

Following each inspection, a checklist must be completed and signed by the qualified inspection personnel representative. At a minimum, the inspection report shall include:

- i. the inspection date;
- ii. names, titles, and qualifications of personnel making the inspection;
- iii. weather information for the period since the last inspection (or since commencement of construction activity if the first inspection) including a best estimate of the beginning of each storm event, duration of each storm event, approximate amount of rainfall for each storm event (in inches), and whether any discharges occurred;
- iv. weather information and a description of any discharges occurring at the time of the inspection;

- v. location(s) of discharges of sediment or other pollutants from the site;
- vi. location(s) of BMPs that need to be maintained;
- vii. location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location;
- viii. location(s) where additional BMPs are needed that did not exist at the time of inspection; and
- ix. corrective action required including any changes to the SWP3 necessary and implementation dates.

Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of or the potential for pollutants entering the drainage system. Erosion and sediment control measures identified in the SWP3 shall be observed to ensure that those are operating correctly. Discharge locations shall be inspected to ascertain whether erosion and sediment control measures are effective in preventing significant impacts to the receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site vehicle tracking.

The permittee shall maintain for three years following the submittal of a notice of termination form, a record summarizing the results of the inspection, names(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWP3 and a certification as to whether the facility is in compliance with the SWP3 and the permit and identify any incidents of non-compliance. The record and certification shall be signed in accordance with Part V.G. of this permit.

- i. **When practices require repair or maintenance.** If the inspection reveals that a control practice is in need of repair or maintenance, with the exception of a sediment settling pond, it shall be repaired or maintained within 3 days of the inspection. Sediment settling ponds shall be repaired or maintained within 10 days of the inspection.
- ii. **When practices fail to provide their intended function.** If the inspection reveals that a control practice fails to perform its intended function and that another, more appropriate control practice is required, the SWP3 shall be amended and the new control practice shall be installed within 10 days of the inspection.
- iii. **When practices depicted on the SWP3 are not installed.** If the inspection reveals that a control practice has not been implemented in accordance with the schedule contained in Part III.G.1.g of this permit, the control practice shall be implemented within 10 days from the date of the inspection. If the inspection reveals that the planned control practice is not needed, the record shall contain a statement of explanation as to why the control practice is not needed.

3. Approved State or local plans. All dischargers regulated under this general permit must comply, except those exempted under state law, with the lawful requirements of municipalities, counties and other local agencies regarding discharges of storm water from construction activities. All erosion and sediment control plans and storm water

management plans approved by local officials shall be retained with the SWP3 prepared in accordance with this permit. Applicable requirements for erosion and sediment control and storm water management approved by local officials are, upon submittal of a NOI form, incorporated by reference and enforceable under this permit even if they are not specifically included in an SWP3 required under this permit. When the project is located within the jurisdiction of a regulated municipal separate storm sewer system (MS4), the permittee shall certify that the SWP3 complies with the requirements of the storm water management program of the MS4 operator.

4. Exceptions. If specific site conditions prohibit the implementation of any of the erosion and sediment control practices contained in this permit or site specific conditions are such that implementation of any erosion and sediment control practices contained in this permit will result in no environmental benefit, then the permittee shall provide justification for rejecting each practice based on site conditions. Exceptions from implementing the erosion and sediment control standards contained in this permit will be approved or denied on a case-by-case basis.

The permittee may request approval from Ohio EPA to use alternative methods to satisfy conditions in this permit if the permittee can demonstrate that the alternative methods are sufficient to protect the overall integrity of receiving streams and the watershed. Alternative methods will be approved or denied on a case-by-case basis.

PART IV. NOTICE OF TERMINATION REQUIREMENTS

A. Failure to notify.

The terms and conditions of this permit shall remain in effect until a signed Notice of Termination (NOT) form is submitted. Failure to submit an NOT constitutes a violation of this permit and may affect the ability of the permittee to obtain general permit coverage in the future.

B. When to submit an NOT.

1. Permittees wishing to terminate coverage under this permit shall submit an NOT form in accordance with Part V.G. of this permit. Compliance with this permit is required until an NOT form is submitted. The permittee's authorization to discharge under this permit terminates at midnight of the day the NOT form is submitted. Prior to submitting the NOT form, the permittee shall conduct a site inspection in accordance with Part III.G.2.i of this permit and have a maintenance agreement in place to ensure all post-construction BMPs will be maintained in perpetuity.
2. All permittees shall submit an NOT form within 45 days of completing all permit requirements. Enforcement actions may be taken if a permittee submits an NOT form without meeting one or more of the following conditions:
 - a. Final stabilization (see definition in Part VII) has been achieved on all portions of the site for which the permittee is responsible (including, if applicable, returning agricultural land to its pre-construction agricultural use);
 - b. Another operator(s) has assumed control over all areas of the site that have not been finally stabilized;

- c. For residential construction only, temporary stabilization has been completed and the lot, which includes a home, has been transferred to the homeowner. (Note: For individual lots without housing, which are sold by the developer, the individual lot permittee shall implement final stabilization prior to the individual lot permittee terminating permit coverage.); or
- d. An exception has been granted under Part III.G.4.

C. How to submit an NOT.

Permittees shall use Ohio EPA's approved NOT form. The form shall be completed and mailed according to the instructions and signed in accordance with Part V.G of this permit.

PART V. STANDARD PERMIT CONDITIONS.

A. Duty to comply.

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of ORC Chapter 6111 and is grounds for enforcement action.

Ohio law imposes penalties and fines for persons who knowingly make false statements or knowingly swear or affirm the truth of a false statement previously made.

B. Continuation of an expired general permit.

An expired general permit continues in force and effect until a new general permit is issued.

C. Need to halt or reduce activity not a defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Duty to mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

E. Duty to provide information.

The permittee shall furnish to the director, within 10 days of written request, any information which the director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the director upon request copies of records required to be kept by this permit.

F. Other information.

When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI, SWP3, NOT or in any other report to the director, he or she shall promptly submit such facts or information.

G. Signatory requirements.

All NOIs, NOTs, SWP3s, reports, certifications or information either submitted to the director or that this permit requires to be maintained by the permittee, shall be signed.

1. These items shall be signed as follows:
 - a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - i. A president, secretary, treasurer or vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation; or
 - ii. The manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
 - b. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or
 - c. For a municipality, State, Federal or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA).
2. All reports required by the permits and other information requested by the director shall be signed by a person described in Part V.G.1 of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Part V.G.1 of this permit and submitted to the director;

- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator of a well or well field, superintendent, position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 - c. The written authorization is submitted to the director.
3. Changes to authorization. If an authorization under Part V.G.2 of this permit is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.G.2 of this permit must be submitted to the director prior to or together with any reports, information or applications to be signed by an authorized representative.

H. Certification.

Any person signing documents under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

I. Oil and hazardous substance liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under section 311 of the CWA or 40 CFR Part 112. 40 CFR Part 112 establishes procedures, methods and equipment and other requirements for equipment to prevent the discharge of oil from non-transportation-related onshore and offshore facilities into or upon the navigable surface waters of the state or adjoining shorelines.

J. Property rights.

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.

K. Severability.

The provisions of this permit are severable and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

L. Transfers.

Ohio NPDES general permit coverage is transferable. Ohio EPA must be notified in writing sixty days prior to any proposed transfer of coverage under an Ohio NPDES general permit. The transferee must inform Ohio EPA it will assume the responsibilities of the original permittee transferor.

M. Environmental laws.

No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

N. Proper operation and maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of SWP3s. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

O. Inspection and entry.

The permittee shall allow the director or an authorized representative of Ohio EPA, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment); and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

P. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

Q. Permit Actions

This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

R. Bypass

The provisions of 40 CFR Section 122.41(m), relating to "Bypass," are specifically incorporated herein by reference in their entirety. For definition of "Bypass," see Part VII.C.

S. Upset

The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "Upset," see Part VII.GG.

T. Monitoring and Records

The provisions of 40 CFR Section 122.41(j), relating to "Monitoring and Records," are specifically incorporated herein by reference in their entirety.

U. Reporting Requirements

The provisions of 40 CFR Section 122.41(l), relating to "Reporting Requirements," are specifically incorporated herein by reference in their entirety.

PART VI. REOPENER CLAUSE

If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with construction activity covered by this permit, the permittee of such discharge may be required to obtain coverage under an individual permit or an alternative general permit in accordance with Part I.C of this permit or the permit may be modified to include different limitations and/or requirements.

Permit modification or revocation will be conducted according to ORC Chapter 6111.

PART VII. DEFINITIONS

- A. "Act" means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117 and Pub. L. 100-4, 33 U.S.C. 1251 et. seq.
- B. "Best management practices (BMPs)" means schedules of activities, prohibitions of practices, maintenance procedures and other management practices (both structural and non-structural) to prevent or reduce the pollution of surface waters of the state. BMP's also include treatment requirements, operating procedures and practices to control plant and/or construction site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.
- C. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- D. "Commencement of construction" means the initial disturbance of soils associated with clearing, grubbing, grading, placement of fill, or excavating activities or other construction activities.

- E. “Concentrated storm water runoff” means any storm water runoff which flows through a drainage pipe, ditch, diversion or other discrete conveyance channel.
- F. “Director” means the director of the Ohio Environmental Protection Agency.
- G. “Discharge” means the addition of any pollutant to the surface waters of the state from a point source.
- H. “Disturbance” means any clearing, grading, excavating, filling, or other alteration of land surface where natural or man-made cover is destroyed in a manner that exposes the underlying soils.
- I. “Drainage watershed” means for purposes of this permit the total contributing drainage area to a BMP, i.e., the “watershed” directed to the practice. This would also include any off-site drainage.
- J. “Final stabilization” means that either:
 - 1. All soil disturbing activities at the site are complete and a uniform perennial vegetative cover (e.g., evenly distributed, without large bare areas) with a density of at least 70 percent cover for the area has been established on all unpaved areas and areas not covered by permanent structures or equivalent stabilization measures (such as the use of mulches, rip-rap, gabions or geotextiles) have been employed. In addition, all temporary erosion and sediment control practices are removed and disposed of and all trapped sediment is permanently stabilized to prevent further erosion; or
 - 2. For individual lots in residential construction by either:
 - a. The homebuilder completing final stabilization as specified above or
 - b. The homebuilder establishing temporary stabilization including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for and benefits of, final stabilization. (Homeowners typically have an incentive to put in the landscaping functionally equivalent to final stabilization as quick as possible to keep mud out of their homes and off sidewalks and driveways.); or
 - 3. For construction projects on land used for agricultural purposes (e.g., pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its pre-construction agricultural use. Areas disturbed that were previously used for agricultural activities, such as buffer strips immediately adjacent to surface waters of the state and which are not being returned to their pre-construction agricultural use, must meet the final stabilization criteria in (1) or (2) above.
- K. “Individual Lot NOI” means a Notice of Intent for an individual lot to be covered by this permit (see Part I of this permit).

- L. "Larger common plan of development or sale"- means a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.
- M. "MS4" means municipal separate storm sewer system which means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) that are:
1. Owned or operated by the federal government, state, municipality, township, county, district(s) or other public body (created by or pursuant to state or federal law) including special district under state law such as a sewer district, flood control district or drainage districts or similar entity or a designated and approved management agency under section 208 of the act that discharges into surface waters of the state; and
 2. Designed or used for collecting or conveying solely storm water,
 3. Which is not a combined sewer and
 4. Which is not a part of a publicly owned treatment works.
- N. "National Pollutant Discharge Elimination System (NPDES)" means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and enforcing pretreatment requirements, under sections 307, 402, 318 and 405 of the CWA. The term includes an "approved program."
- O. "NOI" means notice of intent to be covered by this permit.
- P. "NOT" means notice of termination.
- Q. "Operator" means any party associated with a construction project that meets either of the following two criteria:
1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
 2. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with an SWP3 for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).
- As set forth in Part I.F.1, there can be more than one operator at a site and under these circumstances, the operators shall be co-permittees.
- R. "Ordinary high water mark" means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.
- S. "Owner or operator" means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

- T. “Permanent stabilization” means the establishment of permanent vegetation, decorative landscape mulching, matting, sod, rip rap and landscaping techniques to provide permanent erosion control on areas where construction operations are complete or where no further disturbance is expected for at least one year.
- U. “Percent imperviousness” means the impervious area created divided by the total area of the project site.
- V. “Point source” means any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or the floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.
- W. “Qualified inspection personnel” means a person knowledgeable in the principles and practice of erosion and sediment controls, who possesses the skills to assess all conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity.
- X. “Rainwater and Land Development” is a manual describing construction and post-construction best management practices and associated specifications. A copy of the manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil & Water Conservation.
- Y. “Riparian area” means the transition area between flowing water and terrestrial (land) ecosystems composed of trees, shrubs and surrounding vegetation which serve to stabilize erodible soil, improve both surface and ground water quality, increase stream shading and enhance wildlife habitat.
- Z. “Runoff coefficient” means the fraction of total rainfall that will appear at the conveyance as runoff.
- AA. “Sediment settling pond” means a sediment trap, sediment basin or permanent basin that has been temporarily modified for sediment control, as described in the latest edition of the Rainwater and Land Development manual.
- BB. “State isolated wetland permit requirements” means the requirements set forth in Sections 6111.02 through 6111.029 of the ORC.
- CC. “Storm water” means storm water runoff, snow melt and surface runoff and drainage.
- DD. “Steep slopes” means slopes that are 15 percent or greater in grade. Where a local government or industry technical manual has defined what is to be considered a “steep slope,” this permit’s definition automatically adopts that definition.
- EE. “Surface waters of the state” or “water bodies” means all streams, lakes, reservoirs, ponds, marshes, wetlands or other waterways which are situated wholly or partially within the boundaries of the state, except those private waters which do not combine or effect a junction with natural surface or underground waters. Waters defined as

sewerage systems, treatment works or disposal systems in Section 6111.01 of the ORC are not included.

- FF. "SWP3" means storm water pollution prevention plan.
- GG. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- HH. "Temporary stabilization" means the establishment of temporary vegetation, mulching, geotextiles, sod, preservation of existing vegetation and other techniques capable of quickly establishing cover over disturbed areas to provide erosion control between construction operations.
- II. "Water Quality Volume (WQ_v)" means the volume of storm water runoff which must be captured and treated prior to discharge from the developed site after construction is complete. WQ_v is based on the expected runoff generated by the mean storm precipitation volume from post-construction site conditions at which rapidly diminishing returns in the number of runoff events captured begins to occur.

Exhibit 4: SWP3 Amendments

SWP3 Amendments

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

List Modifications & Reasons (Attach Drawings & Specifications if necessary):

[illegible]

Company Name: _____	Phone No: _____
Company Address: _____	
Signature: _____	Date: _____
Print Name & Title _____	

Signature-

a. For a corporation: by (1) president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person authorized to and who performs similar policy or decisions making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$250,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency: by either a principal executive office or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive office or the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA)

Exhibit 5: Notice of Termination (NOT) Form



Notice of Termination (NOT) of Coverage Under Ohio Environmental Protection Agency General NPDES Permit

Division of Surface Water

(Read accompanying instructions carefully before completing this form.)

Submission of this NOT constitutes notice that the party identified in Section II of this form is no longer authorized to discharge into state waters under the NPDES general permit program. NOTE: All necessary information must be provided on this form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Permit Information:

NPDES General Permit Number: OH

Facility General Permit Number:

II. Owner/Applicant Information/Mailing Address

Company (Applicant) Name:

Mailing (Applicant) Address:

City: State: Ohio Zip Code: -

Contact Person: Phone: () - Fax: () -

Contact Email:

III. Facility/Site Location Information

Facility Name:

Facility Address/Location:

City: State: Ohio Zip Code: -

County: Township(s): Section:

Facility Contact Person: Phone: () - Fax: () -

Facility Contact Email:

IV. Reason for Termination

Transfer of Ownership ☐ Cease to Discharge ☐ Facility Closed ☐

Project Completed ☐ Obtained Individual Permit ☐

V. Certifications

Standard Certification:

I certify under penalty of law that all discharges authorized by the NPDES general permit have been eliminated or that I am no longer the operator of the facility. I understand that by submitting this NOT, I am no longer authorized to discharge under this general permit and that discharging pollutants to waters of the state without an NPDES permit is unlawful under ORC 6111.

Name (typed): Title:

Signature: Date:

Industrial Storm Water and Coal Mining Activity Certification Only:

I certify under penalty of law that all discharges associated with the identified facility that are authorized by the above referenced NPDES general permit have been eliminated, that I am no longer the operator of the facility, or in the case of a coal mine that the SMCRA bond has been released by ODNR-Division of Reclamation. I understand that by submitting this NOT, I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the state is unlawful under ORC 6111 where the discharge is not authorized by an NPDES permit.

Name (typed): Title:

Signature: Date:

Storm Water Construction Activity Certification Only:

I certify under penalty of law that all elements of the storm water pollution prevention plan have been completed, the disturbed soil at the identified facility have been stabilized and temporary erosion and sediment control measures have been removed at the appropriate time, or that all storm water discharges associated with construction activity from the identified facility that are authorized by the above referenced NPDES general permit have otherwise been eliminated. I understand that, by submitting this NOT, I am no longer authorized to discharge storm water associated with construction activity by the general permit, and that discharging pollutants in storm water associated with construction activity to waters of the state is unlawful under ORC 6111 where the discharge is not authorized by an NPDES permit.

Name (typed): Title:

Signature: Date:

Exhibit 6: Certification(s)

CERTIFICATION(S)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Owner/Operator

Company Name: _____ Phone No: _____
Company Address: _____
Signature: _____ Date: _____
Print Name & Title _____

General Contractor

Company Name: _____ Phone No: _____
Company Address: _____
Company Address: _____
Signature: _____ Date: _____
Print Name & Title _____

Subcontractor

Company Name: _____ Phone No: _____
Company Address: _____
Signature: _____ Date: _____
Print Name & Title _____

Subcontractor

Company Name: _____ Phone No: _____
Company Address: _____
Signature: _____ Date: _____
Print Name & Title _____

Subcontractor

Company Name: _____ Phone No: _____
Company Address: _____
Signature: _____ Date: _____
Print Name & Title _____

Signature-

a. For a corporation: by a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures, or
b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA)

Exhibit 7: Construction Site Inspection Checklist



Construction Site Inspection Checklist for OHC000004

By making use of some simple Best Management Practices (BMPs) a construction site operator can do his or her share to protect Ohio's water resources from the harmful effects of sediment. The topography of the site and the extent of the construction activities will determine which of these practices are applicable to any given site, but the BMPs listed here are applicable to most construction sites. For details on the installation and maintenance of these BMPs, please refer to the current ***Rainwater and Land Development, Ohio's Standards for Storm Water Management Land Development and Urban Stream Protection*** by the Ohio Department of Natural Resources (ODNR) Division of Soil and Water Conservation. The manual is available at <http://ohiodnr.com/soilandwater/water/rainwater/default/tabid/9186/Default.aspx> or by contacting your county Soil and Water Conservation District.

Temporary Stabilization

This is the most effective BMP. All disturbed areas that will lie dormant for over 14 days must be stabilized within 7 days of the date the area becomes inactive. The goal of temporary stabilization is to provide cover, quickly. Areas within 50 feet of a stream must be stabilized within 2 days of inactivity. This is accomplished by seeding with fast-growing grasses then covering with straw mulch. Apply only mulch between November 1 and March 31. To minimize your costs of temporary stabilization, leave natural cover in place for as long as possible. Only disturb areas you intend to work within the next 14 days.

Construction Entrances

Construction entrances are installed to minimize off-site tracking of sediments. A stone access drive should be installed at every point where vehicles enter or exit the site. Every individual lot should also have its own drive once construction on the lot begins.

Sediment Ponds

Sediment ponds are required for construction areas with concentrated runoff, when the design capacity of silt fence or inlet protection is exceeded, or for drainage areas with 10 or more disturbed areas. There are two types of sediment ponds: sediment basins and sediment traps. A sediment trap is appropriate where the contributing drainage area is 10 acres or less. The outlet is an earthen embankment with a simple stone spillway. A sediment basin is appropriate for drainage areas larger than 10 acres. The outlet is an engineered riser pipe with a skimmer or similar device used to dewater the pond at the surface. Often a permanent storm water management pond, such as a retention or detention basin, can be modified to act as a sediment basin during construction. All sediment ponds must be installed within 7 days of first grubbing the area they control, provide a minimum dewatering zone of 67 cubic yards per acre of total contributing drainage area and a sediment settling zone of 34 cubic yards per disturbed acre below the level of the outlet. Sediment basins must be designed to drain the dewatering zone over a 48-hour period.

Silt Fence

This is typically used at the perimeter of a disturbed area. It's only for small drainage areas on relatively flat slopes or around small soil storage piles. Not suitable where runoff is concentrated in a ditch, pipe or through streams. For large drainage areas where flow is concentrated, collect runoff in diversion berms or channels and pass it through a sediment pond prior to discharging it from the site. Combination barriers constructed of silt fence supported by straw bales or silt fence embedded within rock check dams may be effective within small channels. As with all sediment controls, silt fence must be capable of pooling runoff so that sediment can settle out of suspension. Silt fence must be installed within 7 days of first grubbing the area it controls.

Inlet Protection

This must be installed on all yard drains and curb drains when these inlets do not drain to a sediment trap or basin. Even if there is a sediment trap or basin, inlet protection is still recommended, as it will increase the overall sediment removal efficiency. These are best used on roads with little or no traffic. If working properly, inlet protection will cause water to pond. If used on curb inlets, streets will flood temporarily during heavy storms. Check with your municipality before installing curb inlet protection. They may prefer an alternate means of sediment control such as silt fence or ponds.

Permanent Stabilization

All areas at final grade must be permanently stabilized within 7 days of reaching final grade. This is usually accomplished by using seed and mulch, but special measures are sometimes required. This is particularly true in drainage ditches or on steep slopes. These measures include the addition of topsoil, erosion control matting, rock rip-rap or retaining walls. Permanent seeding should be done March 1 to May 31 and August 1 to September 30. Dormant seeding can be done from November 20 to March 15. At all other times of the year, the area should be temporarily stabilized until a permanent seeding can be applied.

Non-Sediment Pollution Control

Although sediment is the pollutant of greatest concern on most construction sites, there are other sources of pollution. Most of these BMPs are easy to implement with a little bit of planning and go a long way toward keeping your site clean and organized. Please be sure to inform all contractors how these BMPs affect their operations on the site, particularly those that will be working near a stream.

Inspection Sheet

INSPECTIONS MUST BE CONDUCTED ONCE EVERY 7 DAYS AND WITHIN 24 HOURS OF A 0.5" OR GREATER RAINFALL. ALL SEDIMENT CONTROLS MUST BE INSTALLED PRIOR TO GRADING AND WITHIN 7 DAYS OF FIRST GRUBBING

GENERAL INSPECTION INFORMATION

Construction Site Inspection Date: _____ Inspector Name: _____

Inspector Title: _____ Qualifications/Certifications: _____

Storm Events of the Last 7 Days

Storm Event Date	Storm Event Time	Storm Event Duration	Total Rainfall Amount (inches)	Discharge Occur? (Y/N)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Weather Information at the Time of Inspection

Temperature _____ Climate (Sunny, Cloudy, Rain)? _____ Is Storm Water Being Discharged? _____

Sketch or Small Site Map

Along with a narrative inspection log, Ohio EPA recommends the inspector use a sketch or a reduced photocopy of the site plan showing the location of storm water outfalls and storm drain inlets as well as the location and types of control measures. Problems observed at these locations, or at other locations on the construction site, should be highlighted and any corrective measures undertaken should be drawn in and noted in detail on the front side of the sketch. This method will also be helpful as the permittee is required to update the SWP3 to reflect current site conditions.

CONSTRUCTION ENTRANCES

Key things to look for ...

	Yes	No
1. Has the drive been constructed by placing geotextile fabric under the stone?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the stone 2-inch diameter?	<input type="checkbox"/>	<input type="checkbox"/>
3. Has the stone been placed to a depth of 6 inches, with a width of 10 feet and a length of at least 50 feet (30 feet for entrances onto individual sublots)?	<input type="checkbox"/>	<input type="checkbox"/>
4. If the drive is placed on a slope, has a diversion berm been constructed across the drive to divert runoff away from the street or water resource?	<input type="checkbox"/>	<input type="checkbox"/>
5. If drive is placed across a ditch, was a culvert pipe used to allow runoff to flow across the drive?	<input type="checkbox"/>	<input type="checkbox"/>

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

SEDIMENT PONDS

Key things to look for ...

	Yes	No
1. Are concentrated flows of runoff directed to a sediment pond?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is sheet-flow runoff from drainage areas that exceed the design capacity of silt fence (generally 0.25 acre or larger) directed to a sediment pond?	<input type="checkbox"/>	<input type="checkbox"/>
3. Is runoff being collected and directed to the sediment pond via the storm sewer system or via a network of diversion berms and channels?	<input type="checkbox"/>	<input type="checkbox"/>
4. Is the sediment pond dewatering zone appropriately sized (67 cubic yards per acre of total drainage area)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Is the sediment pond sediment settling zone appropriately sized (34 cubic yards per acre of disturbed area)?	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the sediment basin designed to be dewatered at the surface through the use of a skimmer or another similar surface water dewatering device?	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the sediment basin designed so that the dewatering zone will drain in no less time than 48 hours?	<input type="checkbox"/>	<input type="checkbox"/>
8. Have the embankments of the sediment pond and the areas that lie downstream of the pond been stabilized?	<input type="checkbox"/>	<input type="checkbox"/>
9. For sediment basins that dewater 100% between storms, is the riser pipe wrapped with chicken wire and double wrapped with geotextile fabric?	<input type="checkbox"/>	<input type="checkbox"/>
10. Does the riser have 1-inch diameter holes spaced 4 inches apart, both horizontally and vertically?	<input type="checkbox"/>	<input type="checkbox"/>
11. For sediment basins, which dewater 60% between storms, is the diameter of the dewatering hole per plan (see Chapter 6 of <i>Rainwater</i> manual)?	<input type="checkbox"/>	<input type="checkbox"/>
12. For sediment traps, is there geotextile under the stone spillway and is the spillway saddle-shaped?	<input type="checkbox"/>	<input type="checkbox"/>
13. For sediment traps, which dewater 100% between storms, is the dewatering pipe end-capped, no larger than 6 inches in diameter, perforated and double-wrapped in geotextile?	<input type="checkbox"/>	<input type="checkbox"/>
14. Is the length-to-width ratio between inlet(s) and outlet at least 2:1? NOTE: If not, a baffle should be added to lengthen the distance.	<input type="checkbox"/>	<input type="checkbox"/>
15. Is the depth from the bottom of the basin to the top of the primary spillway no more than 3 to 5 feet?	<input type="checkbox"/>	<input type="checkbox"/>
16. For a modified storm water pond being used as a sediment pond, is the connection between the riser pipe and the permanent outlet water-tight?	<input type="checkbox"/>	<input type="checkbox"/>
17. Was the basin installed prior to grading the site?	<input type="checkbox"/>	<input type="checkbox"/>
18. Is it time to clean-out the sediment pond to restore its original capacity? Generally, sediment should be removed from the sediment settling zone once it's half-full. Stabilize the dredged sediments with seed and mulch.	<input type="checkbox"/>	<input type="checkbox"/>

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

SILT FENCE

Key things to look for ...

	Yes	No
1. Is the fence at least 4" to 6" into the ground?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the trench backfilled to prevent runoff from cutting underneath the fence?	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the fence pulled tight so it won't sag when water builds up behind it?	<input type="checkbox"/>	<input type="checkbox"/>
4. Are the ends brought upslope of the rest of the fence so as to prevent runoff from going around the ends?	<input type="checkbox"/>	<input type="checkbox"/>
5. Is the fence placed on a level contour? If not, the fence will only act as a diversion.	<input type="checkbox"/>	<input type="checkbox"/>
6. Have all the gaps and tears in the fence been eliminated.	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the fence controlling an appropriate drainage area? Refer to Chapter 6 of Rainwater manual.	<input type="checkbox"/>	<input type="checkbox"/>
RULE OF THUMB: Design capacity for 100 linear feet of silt fence is 0.5 acres for slopes < 2%, 0.25 acres for slopes 2% to 20%, & 0.125 acres for slopes 20% or more. Generally, no more than 0.25 acres should lie behind 100 feet of fence at 2% to 10% slope, i.e., the distance between the fence and the top of the slope behind it should be no more than 125 feet. The allowable distance increases on flatter slopes and decreases for steeper slopes.		

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

INLET PROTECTION

Key things to look for ...

	Yes	No
1. Does water pond around the inlet when it rains?	<input type="checkbox"/>	<input type="checkbox"/>
2. Has the fabric been replaced when it develops tears or sags?	<input type="checkbox"/>	<input type="checkbox"/>
3. For curb inlet protection, does the fabric cover the entire grate, including the curb window?	<input type="checkbox"/>	<input type="checkbox"/>
4. For yard inlet protection, does the structure encircle the entire grate?	<input type="checkbox"/>	<input type="checkbox"/>
5. Is the fabric properly entrenched or anchored so that water passes through it and not under it?	<input type="checkbox"/>	<input type="checkbox"/>
6. For yard inlet protection, is the fabric properly supported to withstand the weight of water and prevent sagging? The fabric should be supported by a wood frame with cross braces, or straw bales.	<input type="checkbox"/>	<input type="checkbox"/>
7. Is sediment that has accumulated around the inlet removed on a regular basis?	<input type="checkbox"/>	<input type="checkbox"/>

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

TEMPORARY STABILIZATION

Key things to look for ...

	Yes	No
1. Are there any areas of the site that are disturbed, but will likely lie dormant for over 14 days?	<input type="checkbox"/>	<input type="checkbox"/>
2. Have all dormant, disturbed areas been temporarily stabilized in their entirety?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have disturbed areas outside the silt fence been seeded or mulched?	<input type="checkbox"/>	<input type="checkbox"/>
4. Have soil stockpiles that will sit for over 14 days been stabilized?	<input type="checkbox"/>	<input type="checkbox"/>
5. Has seed and mulch been applied at the proper rate? In general, seed is applied at 3 to 5 lbs per 1000 sq ft and straw mulch is applied at 2-3 bales per 1000 sq ft.	<input type="checkbox"/>	<input type="checkbox"/>
6. Has seed or mulch blown away? If so, repair.	<input type="checkbox"/>	<input type="checkbox"/>

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

PERMANENT STABILIZATION

Key things to look for ...

	Yes	No
1. Are any areas at final grade?	<input type="checkbox"/>	<input type="checkbox"/>
2. Has the soil been properly prepared to accept permanent seeding?	<input type="checkbox"/>	<input type="checkbox"/>
3. Has seed and mulch been applied at the appropriate rate (see Chapter 7 of the <i>Rainwater</i> manual)?	<input type="checkbox"/>	<input type="checkbox"/>
4. If rainfall has been inadequate, are seeded areas being watered?	<input type="checkbox"/>	<input type="checkbox"/>
5. For drainage ditches where flow velocity exceeds 3.5 ft/s from a 10-year, 24-hour storm has matting been applied to the ditch bottom?	<input type="checkbox"/>	<input type="checkbox"/>
6. If the flow velocity exceeds 5.0 ft/s, has the ditch bottom been stabilized with rock rip-rap? NOTE: Rock check dams may be needed to slow the flow of runoff.	<input type="checkbox"/>	<input type="checkbox"/>
7. Has rock rip-rap been placed under all storm water outfall pipes to prevent scouring in the receiving stream or erosion of the receiving channel?	<input type="checkbox"/>	<input type="checkbox"/>
8. For sites with steep slopes or fill areas, is runoff from the top of the site conveyed to the bottom of the slope or fill area in a controlled manner so as not to cause erosion?	<input type="checkbox"/>	<input type="checkbox"/>

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

NON-SEDIMENT POLLUTION CONTROL

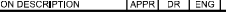
Key things to look for ...

	Yes	No
1. Has an area been designated for washing out concrete trucks? Washings must be contained on site within a bermed area until they harden. The washings should never be directed toward a watercourse, ditch or storm drain.	<input type="checkbox"/>	<input type="checkbox"/>
2. Is waste and packaging disposed of in a dumpster? Do not burn them on site.	<input type="checkbox"/>	<input type="checkbox"/>
3. Are fuel tanks and drums of toxic and hazardous materials stored within a diked area or trailer and away from any watercourse, ditch or storm drain?	<input type="checkbox"/>	<input type="checkbox"/>
4. Are streets swept as often as necessary to keep them clean and free from sediment? NOTE: Sediment should be swept back onto the lot - not down the storm sewers.	<input type="checkbox"/>	<input type="checkbox"/>
5. Are stockpiles of soil or other materials stored away from any watercourse, ditch or storm drain?	<input type="checkbox"/>	<input type="checkbox"/>
6. Have stream crossings been constructed entirely of non-erodible material?	<input type="checkbox"/>	<input type="checkbox"/>
7. If an area of the site is being dewatered, is it being pumped from a sump pit or is the discharge directed to a sediment pond? NOTE: if you must lower ground water, the water may be discharged to the receiving stream as long as the water remains clean. Be sure not to co-mingle the clean ground water with sediment-laden water or to discharge it off-site by passing it over disturbed ground.	<input type="checkbox"/>	<input type="checkbox"/>

Note areas where repairs or maintenance is needed or where this practice needs to be applied:

Exhibit 8: Construction Drawings

See Construction Drawings on File at Field Office



1. SOIL EROSION AND SEDIMENTATION CONTROL MEASURES (SESSCS) SHOWN SHALL BE CONSIDERED MINIMUM REQUIREMENTS. THE CONTRACTOR SHALL ANTICIPATE ADDITIONAL SESSCS TO COMPLY WITH AEP TECHNICAL SPECIFICATIONS AND THE LOCAL COUNTY PERMIT, STATE AND/OR FEDERAL REQUIREMENTS.
2. SITE FENCE, DUST CONTROL, AND THE STABILIZED SOIL ARE REQUIRED FOR ALL SESSCS. FOR ALL OTHER SESSCS ARE PERMANENT, CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THEM THROUGHOUT CONSTRUCTION UNTIL FINAL INSPECTION. SESSCS SHALL BE CLEANED/REPAIRED OR REPLACED AS NEEDED TO MAINTAIN PROTECTION OF THE SOIL FROM DISRUPTIONS THROUGHOUT THE WORK UNTIL FINAL INSPECTION.
3. ALL DISTURBED AREAS NOT SURFICED WITH AGGREGATE SHALL BE PROTECTED BY TEMPORARY SEEDING.
4. ANY DISTURBED SURFACE TO BE EXPOSED FOR MORE THAN 7 CONSECUTIVE DAYS DURING CONSTRUCTION SHALL BE STABILIZED WITH TEMPORARY SEEDING. SEED MIXES SHALL BE IN ACCORDANCE WITH DWG. E-1204.
5. FOR EROSION BLANKET INSTALLATION DETAIL, GRADE STABILIZATION) REFER DWG. E-1204.
6. FOR STRAW BALE CHECK DAM DETAIL, REFER TO DWG. E-1204.
7. TEMPORARY SOIL STOCKPILES AND/OR CONCRETE WASHOUT PITS SHALL BE PROTECTED BY PERMITTER EROSION AND SEDIMENTATION CONTROL.
8. SESSCS INCLUDE DUST CONTROLS. THE CONTRACTOR SHALL REGULARLY APPLY DUST PALLIATIVE OR PERFORM OTHER DUST CONTROL MEASURES AS REQUIRED.
9. OUTLET PROTECTION (1 LOCATION THIS SHALL BE IN ACCORDANCE DETAIL ON DWG. E-1204.

OLD DWG #:		NEW DWG #:	
THIS DRAWING IS THE PROPERTY OF AMERICAN ELECTRIC POWER AND IS LOANED TO YOU UNDER THE CONDITION THAT IT NOT BE COPIED OR REPRODUCED IN WHOLE OR IN PART, OR USED FOR ANY OTHER PURPOSE THAN THAT FOR WHICH IT WAS SPECIFICALLY DESIGNED. IF AMERICAN ELECTRIC POWER OR ANY OTHER PARTY REQUESTS ITS RETURN, IT IS TO BE RETURNED UPON REQUEST.			
CHD TRANSMISSION COMPANY LOGTOWN STATION			
PAYNE	138KV		OHIO
GRADING PLAN A SCIL CORRELATION			
SCALE: 1" = 20'	DWG BY: JWB	ENG. WCB/JAB	CH DATE: BAC
	VOR:	APPD:	CDD: 04/11/16
	T RIVERSIDE PLAZA COLUMBUS, OH 43215	DWG. NO.	E-1203
		R	0

Exhibit 9 Erosion and Sediment Control Details and Specifications

2.9 Grass Filter Strip



Description

Grass filter strips, also known as vegetated filter strips, treat the water quality of small sheet flows from developed areas. They are uniform strips of dense turf or meadow grasses with minimum slope, best suited to accept diffuse flows from roads and highways, roof downspouts, and very small parking lots, usually prior to runoff being collected by swales, ditches or storm drains. They are also an ideal component of stream buffers or as pretreatment to a structural practice.

Dense turf creates a thick porous mat, which slows runoff velocity from small flows causing deposition and filtration of particulates. Other pollutant removal mechanisms are nutrient uptake, adsorption and infiltration. Grass filter strips are generally not very effective for treating soluble pollutants. Their overall effectiveness is highly variable depending on slope, the quality of turf, and flow rates. It is critically important to maintain sheet flow through the filter strip; otherwise the practice provides little to no treatment.

Conditions Where Practice Applies

Grass filter strips are an adaptable practice that often can be incorporated throughout a development site, allowing multiple use from turf areas. Grass filter strips, should not be used as the primary control practice to provide water quality treatment for a development site, particularly hot spots such as gas stations and junkyards, but can be used as a supplemental practice or as pretreatment when combined with another structural treatment practice.

Natural meadow areas also may be used for grass filter strips. Grass filter strips are most often located in landscaping areas around building and parking lot perimeters, in greenbelts or along conservation easements, and median strips in parking lots and streets. The site's topography must allow shallow slopes and sheet flow runoff through the filter strip.

Filter strips are a suitable practice to protect cold-water habitats as they typically do not warm runoff.

Filter strips are impractical in ultra-urban settings because they consume a large amount of space when compared to other practices. Filter strips typically consume an equal width to the impervious drainage area they treat.

Planning Considerations

Grass Filter Strips at the Source vs. Buffer Strips at the Resource

Grass filter strips are used as close as possible to the source of the runoff. They are integrated throughout a development site such as along the edges of parking lots. Buffer strips, on the other hand, are used adjacent to perennial and intermittent stream channels. Grass filter strips are planted to turf while buffer strips have diverse forest vegetation. Grass filter and buffer strips both treat sheet flow runoff but buffer strips also provide many additional functions important to the riparian system: shading, bank stability, leaf litter and detritus.

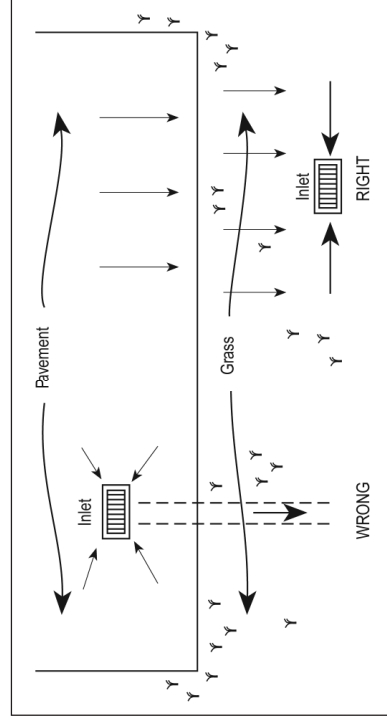


Figure 2.9.1 Runoff routed through grass filter strip before entering drainage system

Design Criteria

Siting Criteria

The filter strip should abut the contributing drainage area. If placed abutting a parking lot, devices that channelize flows into the filter, such as curb cuts and gutters should be avoided. In order to minimize soil compaction and to maintain quality dense vegetation, filter strips should not be located in areas expected to receive heavy pedestrian or vehicular traffic once the site is developed.

Drainage Area

The limiting design factor for grass filter strips is not the drainage area to the practice, but rather the length of flow leading to it. The length of flow cannot exceed the length at which sheet flow concentrates. As a rule of thumb, sheet flow from impervious surfaces will concentrate within a maximum of 75 feet, and 150 feet from pervious surfaces (Center for Watershed Protection, 1996). Thus, as a rule of thumb, a filter strip can treat 1 acre of impervious area per 580-foot length and 1 acre of pervious area per 290-foot length.

Slope

The slope of a grass filter strip should be as flat as possible. However, if standing water may create a nuisance, slopes should be sufficient to provide positive drainage. To avoid runoff converging into concentrated flows, slopes must be less than 5%. Filter strips that are 1% slope or flatter should be avoided unless they are built on very sandy or gravelly soils. The top and toe of the slope should be as flat as possible to encourage sheet flow and prevent erosion.

Slope Length

A higher level of pollutant removal is achieved the longer the slope length (the distance water flows through a filter strip). Grass filter strips must have a minimum slope length of 25 feet, but should be designed to provide a slope length based on their slope within the ranges noted in the table below:

Table 2.9.1 Filter Strip Flow Length

Slope of Filter Strip	75% Particulate Trap Efficiency	90% Particulate Trap Efficiency
1%	25 ft	50 ft
2%	30 ft	120 ft
3%	40 ft	135 ft
4%	60 ft	170 ft
5%	75 ft	210 ft

Ground Water

Filter strips should be separated from ground water by at least 2 to 4 feet to prevent contamination and to assure that the filter strip does not remain wet between storms.

Soils

Filter strips will be less effective as the clay fraction of the soil increases, since this limits the infiltration of runoff associated with proper treatment. Filter strips are not suitable in very poor soils that cannot sustain a grass cover.

Assuring Sheet Flow

To assure that runoff remains as sheet flow through the filter strip, a grass or rock trench level spreader shall be used at the top of the slope. The level spreader must have a minimum depth and a minimum width of 1 foot. The level spreader shall be placed on a level contour. In addition to assuring sheet flow, the level spreader acts as a pretreatment device to settle out some sediment particles.

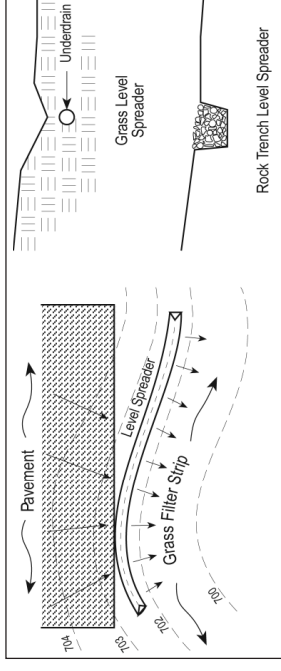


Figure 2.9.2 Grass filter strip with level spreader to distribute flow

Establishing Vegetation

Dense vegetation is critical to effective filter strips. Poor stands of vegetation may even result in a grass filter strip eroding and becoming a source of pollution. Soil preparation and planting is deserving of special attention (see Specifications for Permanent Seeding).

When selecting vegetation for grass filter strips, select species that can withstand relatively high velocity flows and both wet and dry periods. A tool to select the appropriate vegetation based on site specific conditions is available on the internet from the USDA Natural Resource Conservation Service at: <http://ironwood.itc.nrcs.usda.gov/Nedynamics/Vegspec/pages/HomeVegspec.htm>

Some common grasses suitable for use in Ohio include perennial ryegrass, tall fescue, red fescue and Kentucky bluegrass as well as Canada wildrye, Chinese silvergrass, orchardgrass, smooth brome, switchgrass, timothy and western wheatgrass. Filter strips can even provide a convenient area for snow storage and treatment. If used for this purpose, salt-tolerant vegetation such as creeping bentgrass should be selected.

Seeding of the filter strip should be completed no later than September 30th to assure sufficient vegetation by October 31st. Vegetation should be inspected within 30 days of seeding to assure that an adequate stand of vegetation has established. If an adequate stand has not been established by October 31st, temporary measures must be installed to divert stormwater flows around the filter strip until adequate vegetation and stabilization occurs. No stormwater flows should be directed to a filter strip with established vegetation until the contributing drainage area has been stabilized.

Seeding of the filter strip should be completed no later than September 30th to assure sufficient vegetation by October 31st. Vegetation should be inspected within 30 days of seeding to assure that an adequate stand of vegetation has established. If an adequate stand has not been established by October 31st, temporary measures must be installed to divert stormwater flows around the filter strip until adequate vegetation and stabilization occurs. No stormwater flows should be directed to a filter strip with established vegetation until the contributing drainage area has been stabilized.

Pedestrian and Vehicular Traffic

Heavy use should be avoided to minimize soil compaction and maintain quality dense vegetation.

Maintenance

- Only a minimum amount of maintenance should be necessary to ensure continued functioning of grass filter strips.
- The most significant concern is gully formation from unexpected concentrated flows. If rills and gullies occur, they must be repaired and stabilized with seed or sod. Measures must be taken to eliminate the concentrated flow.
- Filter strips should be inspected annually to assure that the level spreader is not clogged and to remove built-up sediment.
- Grass within the filter strip should be maintained as lawn. Grass height should be about 3 to 4 inches. Vegetation must be kept healthy.

References

Guidance Manual for On-Site Stormwater Quality Control Measures, City of Sacramento, CA Dept. of Utilities, January 2000.

Revised Manual for New Jersey: Best Management Practices for Control of Nonpoint Source Pollution from Stormwater New Jersey Dept. of Agriculture, New Jersey Dept. of Community Affairs, New Jersey Dept. of Environmental Protection and New Jersey Dept. of Transportation, May 2000

National Menu of Best Management Practices for Storm Water Phase II, United States Environmental Protection Agency, August 2002

VegSpec and PLANTS Database, United States Dept. of Agriculture, Natural Resource Conservation Service, <http://plants.usda.gov>

Specifications
for

Grass Filter Strip

NOTE: See Specifications for Permanent Seeding.

1. Filter strips shall be graded to prevent runoff from concentrating. Depressions, ridges and swales shall be graded out to achieve a uniform slope having a level grade across the slope.
2. To assure that runoff remains as sheet flow through the filter strip, a level spreader shall be used at the top of the slope. The rock or grass level spreader must be placed on a contour, and shall have a minimum width and depth of 1 foot.
3. Soil compaction shall be minimized in the filter strip area. Work shall be performed only when the soil moisture is low.
4. A subsoiler, plow or other implement shall be used to decrease soil compaction and allow maximum infiltration. Subsoiling shall be done when the soil moisture is low enough to allow the soil to crack or fracture.
5. Because a dense vegetation is critical for effective filter strips, only a dense stand of vegetation without rills or gullies shall be acceptable. If rills or gullies form or if vegetative cover is not dense, a new seedbed shall be prepared and replanted.
6. The filter strip shall be seeded no later than September 30th to assure that vegetation establishes prior to the onset of winter weather.

4.4 Rock Outlet Protection



Description

A rock or riprap apron typically needed at the outlet of storm drains, culverts, or open channels. Rock Outlet Protection provides an erosion resistant transition area where concentrated or high velocity flows enters less modified channels or natural streams.

Conditions Where Practice Applies

This practice applies where discharge velocities from channels, storm drains or culverts are high enough to erode receiving streams or areas. Suggested areas of application are:

- Outfalls of stormwater detention facilities or sediment traps or basins.
- Constructed channel outlets
- Culvert outlets

This practice is not intended for use on slopes greater than 10% or at the top of cut or fill slopes. Caution should be used when design flows exceed 100 cubic feet per second (cfs) from a 10-yr.-frequency storm.

Planning Considerations

Rock Outlet Protection may be used in conjunction with other practices, such as level spreaders. Rock Outlet Protection and Level Spreaders can both be used at the end of pipe outlets. This practice should be used alone where flow will continue as concentrated flow. Level Spreaders can be used with Rock Outlet Protection only when flow can be converted to and continue as sheet flow.

Permits

A construction permit may be required by the local government. Additionally, the U.S. Army Corps of Engineers and the Ohio Environmental Protection Agency, through Sections 404 and 401, respectively, of the Clean Water Act, may require a permit for an outlet protection that is located adjacent to a stream.

Water Quality

Rock outlet protection may also provide water quality benefits by providing for channel stability, prevention of excessive erosion, and limiting subsequent downstream sedimentation.

Design Criteria

Runoff

Runoff computation will be based upon the most severe soil and cover conditions that will exist in the area draining into the channel during the planned life of the structure. Use the NRCS Technical Release 55 (TR 55) or other suitable method shall be used to determine peak rate of runoff.

Velocity

Outlet protection shall be designed to be stable for discharge velocity expected from a 10-year frequency storm. Where high-hazard conditions exist, higher frequency storms should be chosen to provide protection compatible with conditions. Outlet protection shall meet the following criteria

Design Velocity

Outlet protection shall be designed to be stable for the velocity of flow expected from a 10-year frequency storm. Outlet protection shall be designed to meet the criteria below or by other accepted engineering methods.

Width

The width of the outlet protection shall be the width of the headwall or 4 feet wider than the pipe diameter (2 feet on each side of the pipe).

Bottom Grade

The outlet protection should be constructed with no slope along its length. The elevation on the downstream end of the outlet protection shall be equal to the elevation of the receiving stream or channel.

Length of Rock Outlet Protection and Rock Size

Use the velocity calculated at the pipe outlet, the pipe diameter, and Figure 4.4.1. Outlet Protection Length, to find the length of outlet protection needed and rock size to use.

Rock Lining

The outlet protection shall consist of the rock riprap layer and an underlying filter or bedding. Minimum thickness of the rock riprap layer shall be the maximum stone size. Stone used for riprap shall be dense and hard enough to withstand exposure to air, water, freezing and thawing. Rock riprap must have a well-graded distribution and be placed to obtain a solid, compact layer of riprap. This may require some hand placing and tamping with construction equipment. Spreading gravel or soil over top of the placed riprap surface will fill the voids by interlocking the riprap together.

Table 4.4.1 Rock Riprap Size

Type of Rock or Riprap (000T)	"n" value	Size of Rock	
		50% by weight	85% by weight
Type D	.036	> 6 in.	3 - 12 in.
Type C	.04	> 12 in.	6 - 18 in.
Type B	.043	> 18 in.	12 - 24 in.
Type A	.045	> 24 in.	18 - 30 in.

Filter or Granular Bedding

Filter or granular bedding must be placed beneath all riprap to prevent the underlying soil from eroding and undermining the riprap, and to collect seepage and base flow. Minimum bedding thickness shall be 4 inches. Use of large size riprap may necessitate the use of a thicker bedding layer or 2 differently sized bedding layers. Care should be taken to select granular bedding that that is suitable with the subgrade material.

Geotextile

Geotextile may be used as a filter to be placed beneath the riprap to prevent piping of the soil where weiness, seepage, or prolonged base flow is the reason for lining the channel with riprap. If design of the outlet protection results in high velocities and steep grades, granular bedding should be used instead of geotextile. Care should be taken to properly anchor the geotextile to prevent unraveling under flowing water. Geotextile shall be woven or nonwoven monofilament yarn and shall meet Class I criteria in the attached table "Requirements for Geotextile".

Maintenance

A maintenance program shall be established to maintain riprap, vegetative cover above the riprap, and associated structural components such as pipe outlets, and tile lines. Items to consider in the maintenance program include:

- Determine responsible party to inspect and maintain the outlet protection after construction
- Missing riprap should be replaced as soon as possible.
- Protect the outlet protection from damage by equipment and traffic
- Fertilize the vegetated area annually to and maintain a vigorous stand of grass
- Mow the vegetated area to maintain a healthy and vigorous stand of grass.
- Seed and mulch any bare areas that develop.
- Remove sediment and debris that have accumulated.
- Easements, or other means, should be obtained to ensure the channel is maintained as constructed

References

- Additional guidance for evaluation, planning, and design of outlet protection is given in:
- NRCS Ohio Practice Standard 468, Lined Waterway Or Outlet
 - NRCS Engineering Field Handbook, Chapter 6 - Structures
 - NRCS Design Note 24, Guide for Use of Geotextiles
 - ODOT Location and Design Manual, Rock Channel Protection at Culvert and Storm Sewer Outlets

Table 4.4.2 Requirements for Geotextiles

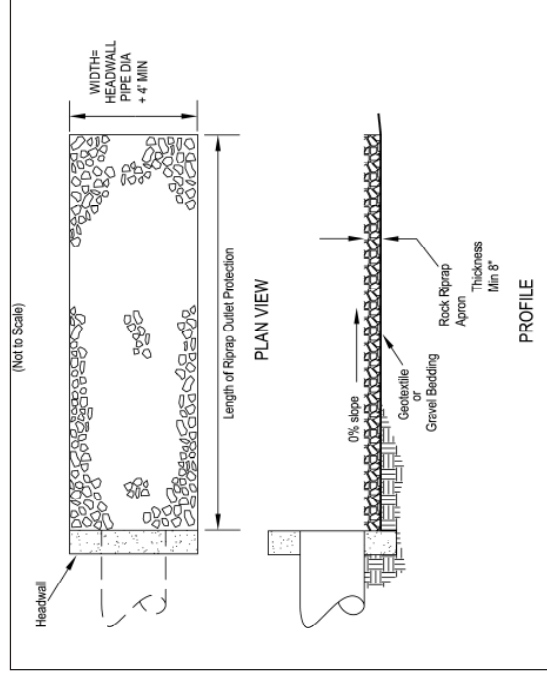
Property	Test method	Woven - Class I	Nonwoven - Class I
Tensile strength (pounds) 1/	ASTM D 4632 grab test	200 minimum in any principal direction	180 minimum
Elongation at failure (percent) 1/	ASTM D 4632 grab test	<50	≥ 50
Puncture (pounds) 1/	ASTM D 4833	90 minimum	80 minimum
Ultraviolet light (% residual tensile strength)	ASTM D 4355 150-hr exposure	70 minimum	70 minimum
Apparent opening size (AOS)	ASTM D 4751	As specified, but no smaller than 0.212 mm (#70) 2/	As specified max. #40 2/
Percent open area (percent)	CWO-02215-86	4.0 minimum	-----
Permeability sec-1	ASTM D 4491	0.10 minimum	0.70 minimum

1/ Minimum average roll value (weakest principal direction).

2/ U.S. standard sieve size.

Note: CWO is a USACE reference.

Rock Outlet Protection



1. Subgrade for the filter or bedding and riprap shall be prepared to the required lines and grades as shown on the plan. The subgrade shall be cleared of all trees, stumps, roots, sod, loose rock, or other material.
2. Riprap shall conform to the grading limits as shown on the plan.
3. Geotextile shall be securely anchored according to manufacturers' recommendations.
4. Geotextile shall be laid with the long dimension parallel to the direction of flow and shall be laid loosely but without wrinkles and creases. Where joints are necessary, strips shall be placed to provide a 12-in. minimum overlap, with the upstream strip overlapping the downstream strip.
5. Gravel bedding shall be ODOT No. 67's or 57's unless shown differently on the drawings.
6. Riprap may be placed by equipment but shall be placed in a manner to prevent slippage or damage to the geotextile.
7. Riprap shall be placed by a method that does not cause segregation of sizes. Extensive pushing with a dozer causes segregation and shall be avoided by delivering riprap near its final location within the channel.
8. Construction shall be sequenced so that outlet protection is placed and functional when the storm drain, culvert, or open channel above it becomes operational.
9. All disturbed areas will be vegetated as soon as practical.

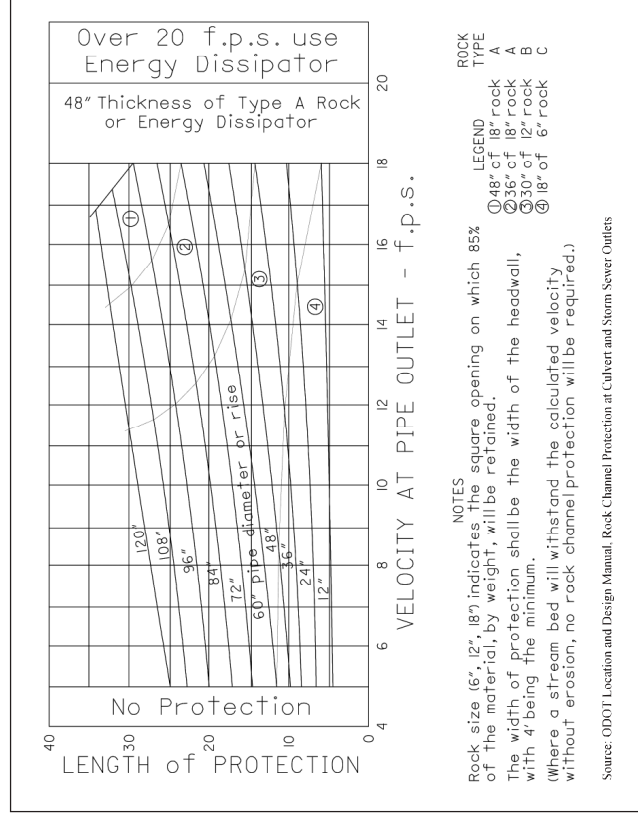


Figure 4.4.1 Length of Rock Outlet Protection and Rock Size

5.4 Stream Utility Crossing



Description

Stream Utility Crossings include pipeline, power line, or road construction projects that cross creeks or rivers. Measures used to minimize damage from the construction of utilities across streams start in the planning stages of a project and continue through site restoration. They include: determining the location of the utility, timing construction, construction techniques to reduce sediment pollution, and recreating favorable riparian conditions.

Conditions Where Practice Applies

Stream Utility Crossing apply to the following:

- Pipelines including but not limited to gas pipelines, electrical transmission lines, sanitary sewers, water lines, and etc.
- Overhead electric transmission lines,
- Road and bridge construction.

For temporary access of construction traffic across stream channels, see the specification for *Temporary Stream Crossings*.

Planning Considerations

Siting Stream Crossings—The first priority for minimizing the impacts of utility construction across streams is to minimize the length of channel disturbed. This often requires the values of the stream be acknowledged and carefully weighted through a stream assessment. Routinely, the easiest and most inexpensive location of utilities, particularly sanitary sewers, is right down the stream channel itself. Unfortunately, this method of locating utilities causes long-term negative impacts to the stream and may necessitate higher maintenance costs to protect the utility.

Minimize the length of channel disturbed by:

- Routing utility lines well away from the stream channel and adjacent riparian area. Doing this may require more earthwork through irregular terrain and more bends in the utility.
- Crossing the stream as few times as possible.
- Crossing perpendicular to the Stream, where crossings do occur. Crossings deviating up to 30 degrees from perpendicular shall be considered perpendicular.
- Concentrate crossings of multiple utilities in one location, and/or encase into one conduit. This is most feasible where utilities are serving an individual housing development.

Within stream channels, there are areas, which are more sensitive to the work required for a utility crossing. Crossings should be located along the stream channel where they will cause the least impact. Crossings should occur where the streambanks are most stable such as the crossovers between bends where the curve of the stream changes direction or along fairly straight sections of channel. Sharp bends and steep banks, especially where showing signs of instability, should be avoided. Deep pools within the channel also should be avoided. These are locations where, during high flows, natural scour is occurring, opposed to riffle areas where deposition occurs. Generally, uniform stretches of stream will be least impacted by a utility crossing.

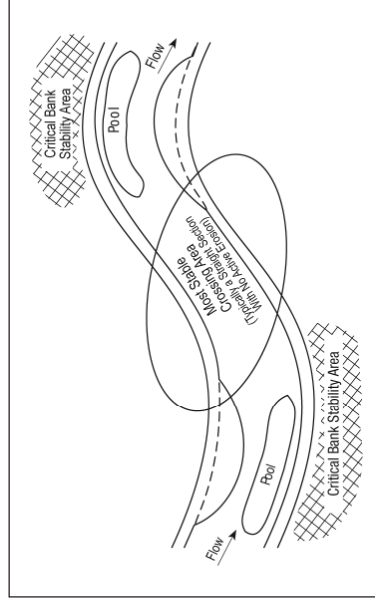


Figure 5.4.1 Stable location for utility crossing

Design Criteria

The following provide general criteria applicable to utility installations. Additional guidance is provided in the specifications that follow.

Construction Season -Utility stream crossing construction is best done during periods of low flow; generally July, August, and September. For perennial streams or important spawning streams, the worst time for construction may be during fish spawning and migration season from March 15 through June 15 or as determined for a particular stream or fish species. This should be taken into consideration along with other construction timing constraints.

Construction Method -In critical crossing situations, the method of construction may be specified. Drilling and boring utility lines under a stream channel cause much less impact than plow-in and trenching methods. Drilling and boring reduce the likelihood of erosion, as well as disturbance of the banks and bottom substrates which typically occurs with both the plow-in and trenching methods. Drilling and boring are usually more expensive and may be unreasonable for certain situations. If a utility line cannot be bored or drilled under the watercourse, the plow-in method should be used where possible. When crossing streams with the plow, a "dry run" is usually recommended prior to attaching the cable or pipe to clear out any possible stumps, logs or other obstructions.

Stream Flow Control -Stream flow should be diverted away from areas where intensive construction will occur.

Confining the Work Area -In large streams with limited areas of disturbance such as along one bank or around a bridge piling, a cofferdam or barricade can be constructed to keep the stream from continually flowing through the disturbed areas. Types of barricades include sheet pilings, sandbags, or turbidity curtains. Sheet pilings are the most durable. Sandbags can be constructed quickly in areas with shallow flow. Turbidity curtains are a geotextile material suspended from floats which hang down to the channel bottom. Unlike sheet pilings and sandbags, turbidity curtains cannot be specified for areas with strong currents or if the work area will be pumped dry.

Sediment Control: Stock piles of material shall be surrounded by silt fence or runoff routed to a sediment pond. Stabilized working pads shall be provided for the equipment in association with the construction of the crossing. Additional sediment control devices shall be implemented (ie. silt fence, sediment traps) when the trench falls within 100 feet of the stream.

Staged Construction -A cofferdam of sheet pilings or sand bags also can be used to confine, one-half of the channel until work there is completed and stabilized, then moved to the other side to complete the crossing without ever having the stream flow through the active work area.

Temporary Rerouting -When extensive or prolonged work will be done to the channel, the stream should be routed around the work area if permitted by terrain and the size of stream. Flow may be pumped around the work area or a temporary channel may be constructed. Temporary channels must be stabilized. A geotextile completely lining the channel bottom and side slopes is suitable temporary stabilization.

Limits on Each Crossing

Crossing Width -The limits of disturbance should be as narrow as possible where utilities cross streams. This includes not only construction operations within the channel itself, but also clearing done through the vegetation growing on the streambanks. The width of clearing should be minimized through the entire riparian area. To ensure minimal width of disturbance through the riparian area, materials excavated from trench construction should be placed well back from the streambanks. The width necessary for the crossing should also be clearly specified on the plans as well as the construction and clearing limits.

Duration of Construction -The time between initial disturbance of the stream and final stabilization should be kept to a minimum. The time necessary for an individual utility stream crossing varies significantly, depending on the specific project. Individual projects should be designed to encourage minimum duration of construction activity within the stream channel. Specific time limits may be specified or the crossing construction may be made dependent on other operations. For example, it could be specified that construction could not begin on the crossing until the utility line was in place to within 10 ft. of the streambanks on each side of the stream.

Fill Placed Within the Channel -The only fill permitted in the channel should be clean aggregate, stone or rock. No soil or other fine erodible material shall be placed in the channel. This restriction includes all fill for temporary crossings, diversions, and trench backfill when placed in flowing water. If the stream flow is diverted away from construction activity the material originally excavated from the trench may be used to back fill the trench.

Streambank Stabilization and Restoration - Streambanks should be restored to their original line and grade. Restoration must not result in a narrower channel or flow restriction. Stabilization of the area shall be conducted immediately upon completion of the stream crossing.

Plan specifications should define the type of stabilization, ideally woody vegetation, as described in the Stream Stabilization section of this book. Vegetation mats or Erosion Control Matting shall stabilize areas within 50' of either streambank. Some bank areas may need to be stabilized with riprap or stone in addition to matting and woody vegetation. Trees should be planted on the entire riparian area, especially the streambanks, to the extent permitted by the type of utility crossing. See the specifications for Streambank Stabilization.

Site Work Associated with Utility Stream Crossing

Runoff Control Along the Right-of-Way - Runoff and sediment controls should be used for the access road or utility easement approaching the stream crossing to prevent sediment-laden runoff from being routed directly to the stream. At a minimum distance of 50 ft. from the stream, runoff should be diverted with water bar or swales to a sediment trapping practice.

Dewatering - Trenches and excavations associated with stream crossings frequently require dewatering. Dewatering or pumping operations must not discharge turbid water directly to the stream. See the Dewatering Measures practice contained in this book for more guidance.

Permits – The specifications contained in this practice pertain primarily to the environmental impacts of stream utility crossings. The designer must also be aware that such structures are subject to the rules and regulations of the U.S. Army Corps of Engineers for instream modifications (404 permits) and Ohio Environmental Protection Agency’s State Water Quality Certification (401 permits).

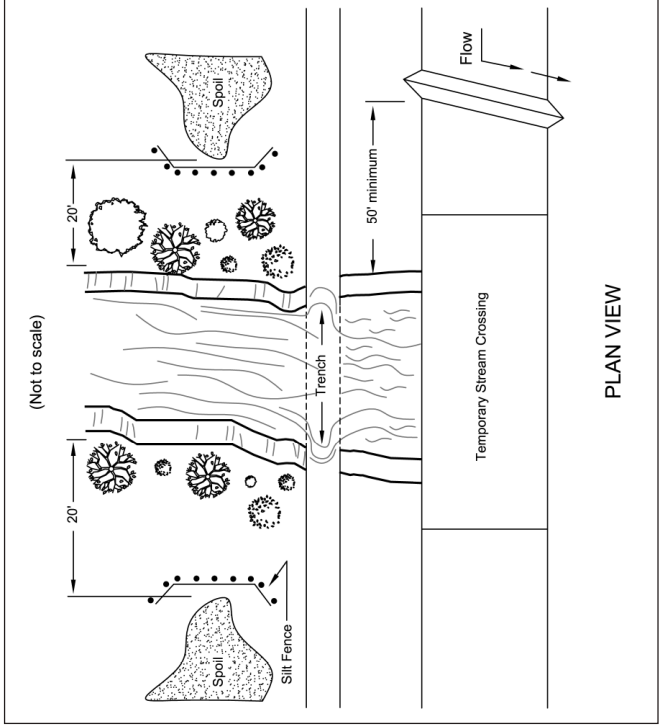
Maintenance

- Maintenance is essential to make sure that all items are functioning properly. This includes making sure only the areas that need to be exposed are exposed, and all other BMP practices are in good working order.
- The designated diversions should maintain the clean water through the site until the project has been completed.
- All desilting devices shall be maintained so that proper filtering occurs to the muddy water before it reenters the stream system.
- Dewatering devices shall be maintained at all times so that proper schedules can be kept for the utility crossing.

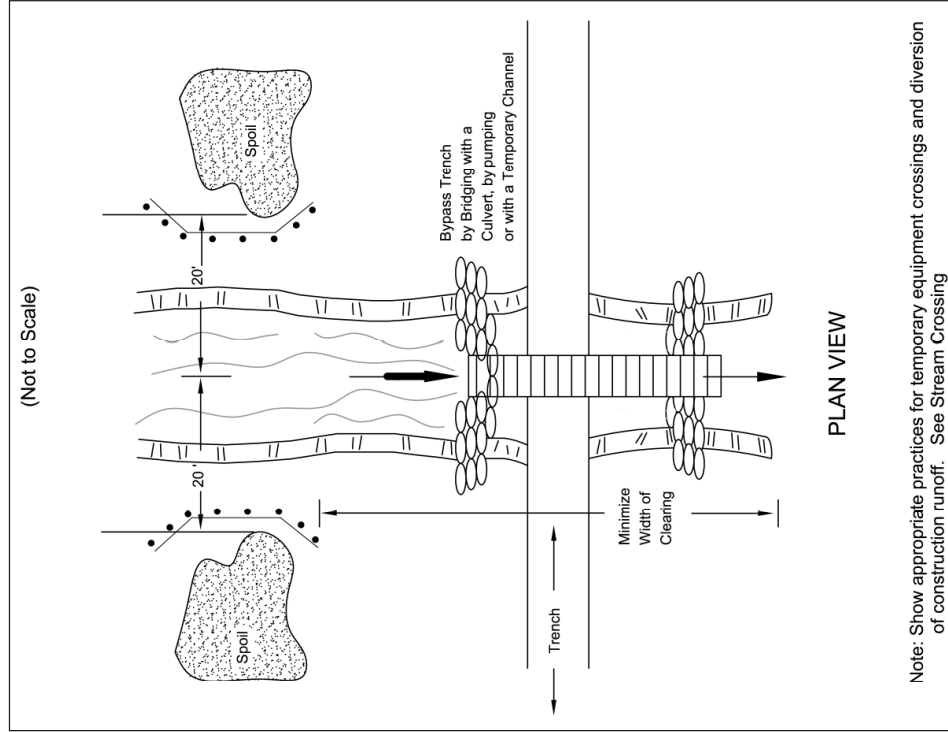
Common Problems/Concerns

- Improper staging and construction causes sediment damage because diversions, erosion control devices and dewatering does not occur in the proper order.
- Starting project during bad weather conditions so that a timely construction can occur.
- More area is opened up than for one day’s construction to be completed in the stream crossing.

Specifications
for
Large Stream Utility Crossing



Small Stream Utility Crossing



Stream Utility Crossing

1. When site conditions allow, one of the following shall be used to divert stream flow or keep the flow away from construction activity.
 - Drill or bore the utility lines under the stream channel.
 - Construct a cofferdam or barricade of sheet piling, sandbags or a turbidity curtain to keep flow from moving through the disturbed area. Turbidity curtains shall be a pre-assembled system and used only parallel to flow.
 - Stage construction by confining first one-half of the channel until work there is completed and stabilized, then move to the other side to complete the crossing.
 - Route the stream flow around the work area by bridging the trench with a rigid culvert, pumping, or constructing a temporary channel. Temporary channels shall be stabilized by rock or a geotextile completely lining the channel bottom and side slopes.
2. Crossing Width - The width of clearing shall be minimized through the riparian area. The limits of disturbance shall be as narrow as possible including not only construction operations within the channel itself but also clearing done through the vegetation growing on the streambanks.
3. Clearing shall be done by cutting NOT grubbing. The roots and stumps shall be left in place to help stabilize the banks and accelerate revegetation.
4. Material excavated from the trench shall be placed at least 20 ft. from the streambanks.
5. To the extent other constraints allow, stream shall be crossed during periods of low flow.
6. Duration of Construction - The time between initial disturbance of the stream and final stabilization shall be kept to a minimum. Construction shall not begin on the crossing until the utility line is in place to within 10 ft. of the streambank.
7. Fill Placed Within the Channel - The only fill permitted in the channel should be clean aggregate, stone or rock. No soil or other fine erodible material shall be placed in the channel. This restriction includes all fill for temporary crossings, diversions, and trench backfill when placed in flowing water. If the stream flow is diverted away from construction activity the material originally excavated from the trench may be used to backfill the trench.
8. Streambank Restorations - Streambanks shall be restored to their original line and grade and stabilized with riprap or vegetative bank stabilization.
9. Runoff Control Along the Right-of-Way - To prevent sediment-laden runoff from flowing to the stream, runoff shall be diverted with water bar or swales to a sediment trapping practice a minimum of 50 ft. from the stream.
10. Sediment laden water from pumping or dewatering or pumping shall not be discharged directly to a stream. Flow shall be routed through a settling pond, dewatering sump or a flat, well-vegetated area adequate for removing sediment before the pumped water reaches the stream.
11. Dewatering operations shall not cause significant reductions in stream temperatures. If groundwater is to be discharged in high volumes during summer months, it shall first be routed through a settling pond or overland through a flat well-vegetated area.
12. Permits - In addition to these specifications, stream crossings shall conform to the rules and regulations of the U.S. Army Corps of Engineers for in-stream modifications (404 permits) and Ohio Environmental Protection Agency's State Water Quality Certification (401 permits).

5.7 Dewatering Measures



Description

Dewatering measures provide a stable area for receiving and treating water pumped from excavation or work areas prior to being released off the site. These practices reduce sediment impacts to downstream water resources.

Conditions Where Practice Applies

De-watering measures are used whenever water, either surface or subsurface, prevents or hinders construction activities and has the potential of contributing sediment to streams. This practice is appropriate for any kind of pumping used in conjunction with construction activities.

Planning Considerations

Construction activities often require that water be pumped from an area to facilitate work. This water often has large amounts of suspended sediments. Rather than discharge this water directly to a stream, a means to settle or remove sediment must be provided.

A dewatering plan should be prepared utilizing ground water conditions and soils information to predict areas where de-watering will likely occur. Plans should include the length of time de-watering will occur, the method of de-watering (pumping, siphon...), the discharge point(s), methods to control sediment impacts and the contents of a written log to be kept on-site. These plans may need to be approved by local authorities prior to construction.

All dewatering discharges with suspended solids should pass through a practice to remove sediments. While a vegetated filter areas may be sufficient for some situations (e.g. short duration low pumping rates) many will need additional measures, such as sediment traps,

filter bag or flocculation. All structures must have adequate outlet protection to prevent gully erosion. Please note that the Ohio Environmental Protection Agency will find turbid discharges to the stream resulting from any dewatering activity a violation of Ohio Revised Code 6111.04 independent of the methods employed. Therefore even if one method is selected, additional measures may be required to fully treat turbid water.

The particle size distribution, that is the relative proportion of sands, silts and clays, of a soil that is suspended will determine the difficulty of removing sediments. Soils with coarser particle size distributions (large proportion of sand) will be easier to settle out with filter strips and settling ponds. Finer particle size distributions (predominantly silt and clays) will be increasingly difficult and may need a series of measures.

Ground Water Lowering: Often dewatering wells are established to lower the ground water table for utility installation or construction. Generally, this water is free from suspended solids and may be discharged to waters of the state provided the water is not contaminated.

Measures should be taken to ensure the discharge from the de-watering wells does not flow over disturbed areas and suspend sediments, resulting in contaminated discharge. Waterways established to transport dewatering flow should be protected from erosion from the point of discharge all the way to waters of the state. Extending hoses to waters of the state will ensure the discharge remains free from suspended solids. This practice is recommended for discharges of short duration.

Water pumped from wells is about 55° F, which may cause thermal impacts in some situations. High pumping rates near small streams in summer will have major changes in stream metabolism, i.e., throw off spawning. Where this potential occurs, groundwater should not be discharged directly to the stream but roughed through settling ponds or other shallow holding ponds.

The Ohio Department of Natural Resources, Division of Water requires a Water Withdrawal Registration for the de-watering activities in the event the facility has the capacity of pumping in excess of 100,000 gallons per day. This registration must be submitted to ODNR within 90 days following the completion of the project. A water withdrawal registration can be obtained by contacting ODNR, Division of Water at 614-265-6735. Assistance regarding proper well installation and abandonment is also available.

Design Criteria

Vegetated Filter Areas: Densely vegetated areas may offer sufficient conditions to treat short duration discharges provided that: flow is not channelized directly to a water resource and the area encourages infiltration, slow overland flow and settling. A minimum of 100 feet is required to utilize a vegetated area. Dense grass or areas with natural depressions will provide the best conditions. Critical areas like wetlands (e.g. vernal pools) or areas with sensitive vegetation that will be damaged (smothering) by sedimentation should not be used.

Sediment trap or basin: In most cases, contaminated discharge should be directed to a sediment trap where the suspended solids can settle/filter out prior to the discharge to waters of the state. Sediment traps should have sufficient storage to receive all the discharged water from pumping and detain this water a minimum of 24 hours. The sediment storage volume is directly related to the pumping capacity and the amount of turbidity. The sediment pond should be designed to optimize the amount of travel time through the impoundment.

The sediment pond should not be more than 4 feet deep with the distance between the intake and outlet maximized to the extent practical.

Pump Intakes should withdraw water from the surface of the trench or work area in order not to re-suspend or continually mix water. Continually drawing water from the floor of the area will draw the muddiest water and increase the amount of sediment that must be removed.

Geotextile Filter Bags are a increasingly common way to remove sediment from dewatering discharge. Commonly discharge is pumped into a filter bag chosen for the predominant sediment size. Filter bags are manufactured products made typically from woven monofilament polypropylene textile (coarse materials, e.g. sands) or non-woven geotextile (silts/clays). They are single use products that must be replaced when they become clogged or half full of sediment.

While they may be useful, they are generally high flow products, which have limited ability to treat fine-grained sediments. Gravity drained filter bags should apply the following:

- They should place outside of a vegetated filter area and not in close proximity to the stream or water resource.
- They must sit on a relatively flat grade so that water leaving the bag does cause additional erosion. Placing the bag on a flat bed of aggregate will maximize the flow and useful surface area of the bag.
- They should be used in conjunction with a large vegetative buffer or a secondary pond or barrier

Enhanced Treatment Through Multiple Practices. The need for further reduction in turbidity will likely require more than one treatment measure. The following are devices or measures that when used in sequence with others will reduce turbidity.

Filter bags (gravity flow) are highly variable depending on the pore size and flow rate. Typically filter bags are limited to removing large particles (small sands and large silts).

Sediment traps, weir tanks, filter boxes are effective for the removal of large particles such as sand. Their effective increases as detention times increase.

Sand Media Filters effective for removal of smaller particles such as sand and large silts. These often have the ability to backflush and thus maintain effectiveness and flow rate.

Some commercially available additives are available for further decreasing turbidity. Chitosan and chitin based additives have been shown to significantly increase the effectiveness of filtration and settling. Chitosan (Poly-D-glucosamine) is a low-toxicity product extracted from Chitin (Poly-N-acetyl-D-glucosamine), a by-product of the shellfish industry. Other products such as anionic polyacrylamide (anionic PAM) are commercially available to increase settling. Often these are utilized through wet or dry dosing mechanisms or as water runs over a gel block upstream of a settling or filtration practice. Each product should be utilized within the manufacturers specifications and tailored to the soil and site conditions.

Particulate filter units utilizing cartridges or enclosed filter bags can remove smaller particles depending on the filter size. This type of measure is usually necessary to treat clays. Filters may be need to be changed daily or more frequently.

An example of an enhanced treatment might include: dewatering a trench with a trash pump to a settling tank or pit then pumping from the settling practice to a sand media filter or to a particulate filter.

Common Problems/Concerns

Complete settling of solids within the Sediment Basin does not occur prior to discharge. The length to width ratio of the pond must be increased to lengthen travel time through the structure. In addition, flocculent may be necessary to promote settlement.

Water discharged from subsurface/ground water pumping may be significantly lower in temperature than that of the receiving stream. The water will need pre-conditioned in order to minimize the biological affects on the stream.

References

Virginia Department of Conservation and Recreation, 2002. *Erosion & Sediment Control Technical Bulletin #2: Application of Anionic Polyacrylamide for soil stabilization and stormwater management*. <http://www.dcr.state.va.us/sw/docs/anoinic.pdf>

De-Watering

1. A de-watering plan shall be developed prior to the commencement of any pumping activities.
2. The de-watering plan shall include all pumps and related equipment necessary for the dewatering activities and designate areas for placement of practices. Outlets for practices shall be protected from scour either by riprap protection, fabric liner, or other acceptable method of outlet protection.
3. Water that is not discharged into a settling/treatment basin but directly into waters of the state shall be monitored hourly. Discharged water shall be within $\pm 7-9^{\circ}\text{F}$ of the receiving waters.
4. Settling basins shall not be greater than four (4) feet in depth. The basin shall be constructed for sediment storage as outlined in Chapter 6, SEDIMENT BASIN OR SEDIMENT TRAP. The inlet and outlet for the basin shall be located at the furthest points of the storage. A floating outlet shall be used to ensure that settled solids do not re-suspend during the discharge process. The settling basin shall be cleaned out when the storage has been reduced by 50% of its original capacity.
5. All necessary National, State and Local permits shall be secured prior to discharging into waters of the state

6.3 Silt Fence



Description

Silt fence is a sediment-trapping practice utilizing a geotextile fence, topography and sometimes vegetation to cause sediment deposition. Silt fence reduces runoff's ability to transport sediment by ponding runoff and dissipating small rills of concentrated flow into uniform sheet flow. Silt fence is used to prevent sediment-laden sheet runoff from entering into downstream creeks and sewer systems.

Conditions Where Practice applies

Silt fence is used where runoff occurs as sheet flow or where flow through small rills can be converted to sheet flow. Major factors in its use are slope, slope length, and the amount of drainage area from which the fence will capture runoff. Silt fence cannot effectively treat flows in gullies, ditches or channels. For concentrated flow conditions see specifications for temporary diversions, sediment traps and sediment basins.

Planning Considerations

Alternatives: Silt Fence vs. Temporary Diversions and Settling Ponds. While silt fence requires less space and disturbs less area than other control measures there are significant disadvantages to its use. Silt fence is not as effective controlling sediment as routing runoff through a system of diversions and settling ponds. Settling ponds and earth diversions are more durable, easier to construct correctly and significantly more effective at removing sediments from runoff. Additionally earth diversions and settling ponds are less apt to fail during construction and typically require less repair and maintenance.

Proper installation is critical. Experience from ODNR and other field testing has shown that nearly 75 percent of silt fence does not function properly due to poor installation. Proper installation consists of it being installed: (1) on the contour; (2) with sufficient geotextile material buried; (3) with the fence pulled taut and supported on the downstream side by strong posts; (4) and with the fence backfilled and compacted.

Two general methods are used to install silt fence: (1) utilizing traditional method of digging the trench, installation of the fence materials, then backfilling and compaction; or (2) a method using an implement to static slice or narrow plow while installing the geotextile in the slot opening, followed by compaction and installation of posts. The latter methods generally installs silt fence more effectively and efficiently.

Silt fence is most applicable for relatively small areas with flat topography. Silt fence should be used below areas where erosion will occur in the form of sheet and rill erosion. For moderately steep areas, the area draining to the silt fence should be no larger than one quarter acre per 100 feet of fence length, the slope length no longer than 100 feet, and the maximum drainage gradient no steeper than 50 percent (2:1). This practice should be sited so that the entire fence ponds runoff and facilitates settling of suspended solids.

Design Criteria

Proper installation of silt fence requires utilizing the site topography. This is critical because the sediment removal process relies on ponding runoff behind the fence. As a ponding occurs behind the fence, coarser materials are allowed to settle out. Leaving a long, flat slope behind the silt fence maximizes areas for ponding (sediment deposition), and for water to disperse and flow over a much larger surface area of the silt fence. For silt fence to work effectively, runoff must be allowed to maintain sheet flow, to pond and to be released slowly. However, if silt fence is used without regard to a site's topography, it will typically concentrate runoff, increasing the likelihood of blocking and overtopping of the fence, thus reducing or eliminating its effectiveness.

Level Contour – For silt fence to promote deposition, it must be placed on the level contour of the land, so that flows are dissipated into uniform sheet flow that has less energy for transporting sediment. Silt fence should never concentrate runoff, which will result if it is placed up and down slopes rather than on the level contour.

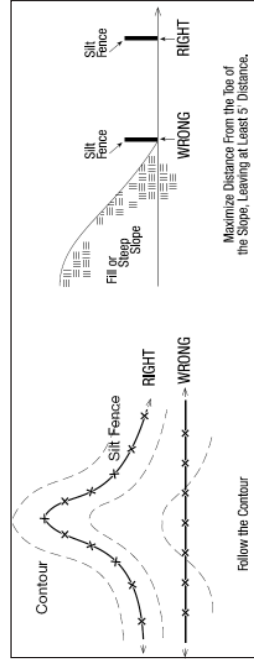


Figure 6.3.1 Silt fence layout

Flat Slopes – Slope has the greatest influence on runoff's ability to transport sediment, therefore silt fence should be placed several feet away from the toe of a slope if at all possible, to encourage deposition. Silt fence generally should be placed on the flattest area available to increase the shallow ponding of runoff and maximize space available for deposited sediment.

Flow Around Ends – To prevent water ponded by the silt fence from flowing around the ends, each end must be constructed upslope so that the ends are at a higher elevation.

Vegetation – Dense vegetation also has the effect of dissipating flow energies and causing sediment deposition. Sediment-trapping efficiency will be enhanced where a dense stand of vegetation occurs for several feet both behind and in front of a silt fence.

Table 6.3.1 Maximum area contributing area using slope length

Maximum Slope Length Above Silt Fence	
Slope	Slope Length (ft.)
0% - 2%	Flatter than 50:1
2% - 10%	50:1 - 10:1
10% - 20%	10:1 - 5:1
20% - 33%	5:1 - 3:1
33% - 50%	3:1 - 2:1
> 50%	> 2:1

Note: For larger drainage areas, see standards for temporary diversions, sediment traps and sediment basins.

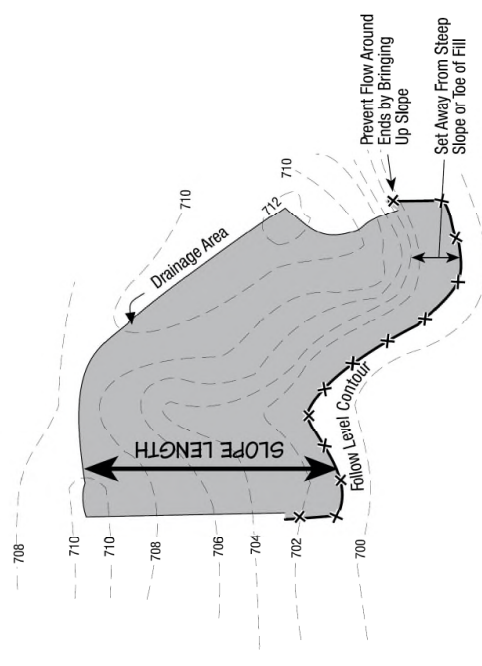


Figure 6.3.2 Silt fence and allowable drainage area

Dispersing Flow – Proper applications of silt fence allow all the intercepted runoff to pass as diffused flow through the geotextile. Runoff should never overtop silt fence, flow around the ends, or in any other way flow as concentrated flow from the practice. If any of these failures occurs, an alternative silt fence layout, or other practices are needed.

In cases where additional support of the fabric is needed, either wire or geogrid fencing may be used as a backing on the fabric. In these instances, the reinforcing material should be attached/erected first, then the fabric installed.

Materials

Fence posts shall be a minimum length of 32 inches long, composed of nominal dimensioned 2-by-2-inch hardwood of sound quality. They shall be free of knots, splits and other visible imperfections which would weaken the posts. Steel posts may be utilized in place of wood provide the geotextile can be adequately secured to the post.

Silt fence geotextile must meet the minimum criteria shown in the table below.

Table 6.3.2

Minimum criteria for Silt Fence Fabric (DOT, 2002)		
Minimum Tensile Strength	120 lbs (535 N)	ASTM D 4632
Maximum Elongation at 60 lbs	50%	ASTM D 4632
Minimum Puncture Strength	50 lbs (220 N)	ASTM D 4833
Minimum Tear Strength	40 lbs (180 N)	ASTM D 4533
Apparent Opening Size	≤ 0.84 mm	ASTM D 4751
Minimum Permittivity	1X10 ⁻² sec. ⁻¹	ASTM D 4491
UV Exposure Strength Retention	70%	ASTM G 4355

Maintenance

Silt Fence requires regular inspection and maintenance to insure its effectiveness. Silt fences must be inspected after each rainfall and at least daily during prolonged rainfall. Silt fence found damaged or improperly installed shall be replaced or repaired immediately.

Sediment deposits shall be routinely removed when they reach approximately one-half the height of the silt fence.

Common Problems/Concerns

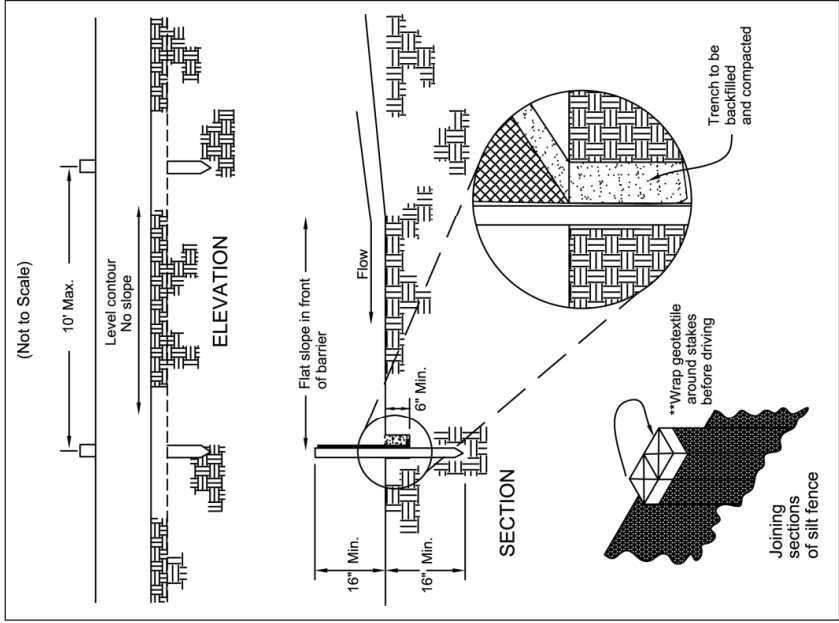
The predominant problems with silt fence regard inadequate installation or location that allows runoff to concentrate, overtop the fence, flow under the fabric or around the fence ends. If this occurs one of the following shall be performed, as appropriate:

- The location and layout of the silt fence shall be changed to conform to the level contour
- The silt fence shall be reinstalled with proper burial, backfill and compaction and support
- Accumulated sediment shall be removed
- Alternative practices shall be installed.

References

Construction and Material Specifications, January 1, 2002. State of Ohio Department of Transportation, P.O. Box 899, Columbus, Ohio 43216-0899, <http://www.dot.state.oh.us/construction/OCA/Specs/2002CMS/Specbook2002/Specbook2002.htm>

Specifications for Silt Fence



6.5 Filter Berm



Description

Filter berms are sediment trapping practices that utilize a compost/mulch material. They are typically installed with pneumatic equipment. Filter berms reduce sediment from runoff by slowing and filtering runoff, and dissipating flow.

Conditions Where Practice Applies

Filter berms are appropriate on nearly level ground or slopes up to 5:1, where runoff occurs as sheet flow. Filter berms cannot effectively treat flows in gullies, ditches or channels. For more severe conditions see specifications for temporary diversions, sediment traps, and sediment basins.

Design Criteria

Compost filter berms used as sediment control practice require an adequately constructed berm constructed on the contour, that is, on a level line across the site's topography. While silt fences rely primarily on settling, compost filter berms filter runoff as it passes through the practice. To accomplish this, runoff must be intercepted on the contour to insure that sheet flow is not concentrated into rills or channels.

Materials — Compost/mulch used for filter berms shall be weed free and derived from a well-decomposed source of organic matter. The compost shall be produced using an aerobic composting process meeting CFR 503 regulations, including time and temperature data indicating effective weed seed, pathogen and insect larvae kill. The compost shall be free of any refuse, contaminants or other materials toxic to plant growth.

Specifications for

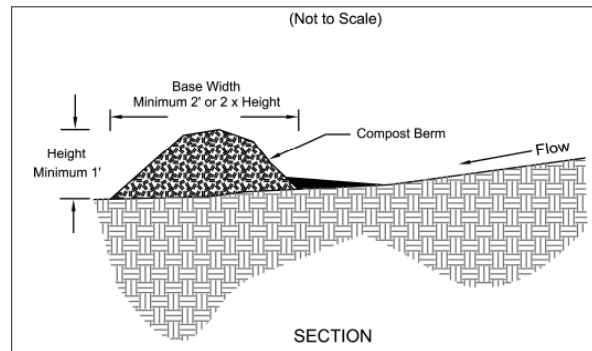
Silt Fence

1. Silt fence shall be constructed before upslope land disturbance begins.
 2. All silt fence shall be placed as close to the contour as possible so that water will not concentrate at low points in the fence and so that small swales or depressions that may carry small concentrated flows to the silt fence are dissipated along its length.
 3. Ends of the silt fences shall be brought upslope slightly so that water ponded by the silt fence will be prevented from flowing around the ends.
 4. Silt fence shall be placed on the flattest area available.
 5. Where possible, vegetation shall be preserved for 5 feet (or as much as possible) upslope from the silt fence. If vegetation is removed, it shall be reestablished within 7 days from the installation of the silt fence.
 6. The height of the silt fence shall be a minimum of 16 inches above the original ground surface.
 7. The silt fence shall be placed in an excavated or sliced trench cut a minimum of 6 inches deep. The trench shall be made with a trencher, cable laying machine, slicing machine, or other suitable device that will ensure an adequately uniform trench depth.
 8. The silt fence shall be placed with the stakes on the downslope side of the geotextile. A minimum of 8 inches of geotextile must be below the ground surface. Excess material shall lay on the bottom of the 6-inch deep trench. The trench shall be backfilled and compacted on both sides of the fabric.
- Criteria for silt fence materials
1. Fence post — The length shall be a minimum of 32 inches. Wood posts will be 2-by-2-in. nominal dimensioned hardwood of sound quality. They shall be free of knots, splits and other visible imperfections, that will weaken the posts. The maximum spacing between posts shall be 10 ft. Posts shall be driven a minimum 16 inches into the ground, where possible. If not possible, the posts shall be adequately secured to prevent overturning of the fence due to sediment/water loading.
 2. Silt fence fabric — See chart below.

Table 6.3.2 Minimum criteria for Silt Fence Fabric (0007, 2002)

FABRIC PROPERTIES	VALUES	TEST METHOD
Minimum Tensile Strength	120 lbs. (535 N)	ASTM D 4632
Maximum Elongation at 60 lbs	50%	ASTM D 4632
Minimum Puncture Strength	50 lbs (220 N)	ASTM D 4833
Minimum Tear Strength	40 lbs (180 N)	ASTM D 4533
Apparent Opening Size	≤ 0.84 mm	ASTM D 4751
Minimum Permittivity	1X10 ⁻² sec.-1	ASTM D 4491
UV Exposure Strength Retention	70%	ASTM G 4355

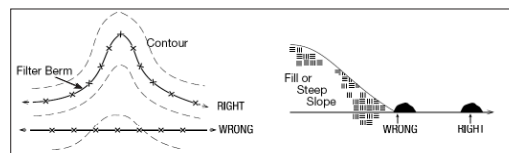
Specifications
for
Filter Berm



- Materials** – Compost used for filter berms shall be weed, pathogen and insect free and free of any refuse, contaminants or other materials toxic to plant growth. They shall be derived from a well-decomposed source of organic matter and consist of a particles ranging from 1/4" to 3".
- Installation** – Filter berms will be placed on a level line across slopes, generally parallel to the base of the slope or other affected area. On slopes approaching 2:1, additional berms shall be provided at the top and as needed mid-slope.
Filter berms are not to be used in concentrated flow situations or in runoff channels.
- Maintenance** – Inspect filter berms after each significant rain, maintaining the berms in a functional condition at all times.
Remove sediments collected at the base of the filter berms when they reach 1/3 of the exposed height of the practice.
Where the filter berm deteriorates or fails it will be, it will be repaired or replaced with a more effective alternative.
- Removal** – Filter berms no longer needed will be dispersed on site in a manner that will facilitate seeding.

Materials should meet the following requirements: pH between 5.0-8.0; 100% passing a 3" sieve, 90% to 100% passing a 1" sieve, 70% to 100% passing a 3/4", no more than 50% shall pass a 1/4" sieve; moisture content is less than 60%; material shall be relatively free (<1% by dry weight) of inert or foreign man made materials.

Level Contour – Filter berms must be placed on the level contour of the land so that flows are dissipated into uniform sheet flow that has less energy for transporting sediment. Filter berms should never concentrate runoff, which will occur if it is placed up and down slopes rather than on the level contour.



Flat Slopes – If at all possible, filter berms should be placed away from the toe of a slope and on the flattest area available. This allows the sheet flow energy to dissipate and allows for a greater storage area for sediments.

Steeper Slopes – For placement on steeper slopes follow the spacing recommendations on the following table.

Drainage Area – Follow recommendations on following table

Table 6.5.1 Filter Berm Spacing for General Applications *Install Parallel Along Contours As Follows		
Ratio (H:V)	% Slope	Recommended Spacing
< 20:1	5% or less	300 foot with a maximum of 1 acre per 500 lineal feet
20:1 - 10:1	5 to 10%	75 foot intervals
9:1 - 5:1	10 to 20%	50 foot intervals

Flow Around Ends – To prevent water from flowing around the ends of the Filter berm each end must be constructed up-slope so that the ends are at a higher elevation.

Vegetation – Filter berm may be vegetated for a more permanent placement such as wetlands and natural areas.

References

- Standard Specification for Compost for Erosion/Sediment Control (Filter Berms)
<http://www.iaasla.org/NEWS/FILES/AASHTO-Filterberm6.doc>
- www.dot.state.pa.us/PennDOT/Bureaus/ChiefEng.nsf/spec%20filter%20berms?OpenPage
 - 28k
- http://tammi.tamu.edu/erosion_control_fact_sheet.pdf Using compost for eroison controls and revegetation, S. Mukhtar Texas Cooperative Extension, The Texas A & M University System. Prepared in cooperation with the Texas Commission on Environmental Quality and the U.S. Environmental Protection Agency.
- <http://www.ces.uga.edu/pubcd/B1200.htm>

6.6 Filter Sock



Description

Filter socks are sediment-trapping devices using compost inserted into a flexible, permeable tube with a pneumatic blower device or equivalent. Filter socks trap sediment by filtering water passing through the berm and allowing water to pond, creating a settling of solids.

Conditions where practice applies

Filter socks are appropriate for limited drainage areas, requiring sediment control where runoff is in the form of sheet flow or in areas that silt fence is normally considered acceptable. The use of filter socks is applicable to slopes up to 2:1 (H:V), around inlets, and in other disturbed areas of construction sites requiring sediment control. Filter socks also may be useful in areas, where migration of aquatic life such as turtles, salamanders and other aquatic life would be impeded by the use of silt fence.

Planning Considerations

Filter socks are sediment barriers, capturing sediment by ponding and filtering water through the device during rain events. They may be a preferred alternative where equipment may drive near or over sediment barriers, as they are not as prone to complete failure as silt fence if this occurs during construction. Driving over filter socks is not recommended; but if it should occur, the filter sock should be inspected immediately, repaired and moved back into place as soon as possible.

Design Criteria

Typically, filter socks can handle the same water flow or slightly more than silt fence. For most applications, standard silt fence is replaced with 12" diameter filter socks. However, proper installation is especially important for them to work effectively.

Materials – Compost/mulch used for filter socks shall be weed free and derived from a well-decomposed source of organic matter. The compost shall be produced using an aerobic composting process meeting CFR 503 regulations, including time and temperature data indicating effective weed seed, pathogen and insect larvae kill. The compost shall be free of any refuse, contaminants or other materials toxic to plant growth. Non-composted products are not acceptable.

Materials should meet the following requirements: pH between 5.0-8.0; 100% passing a 2" sieve and a minimum of 70% greater than the 3/8" sieve; moisture content is less than 60%; material shall be relatively free (<1% by dry weight) of inert or foreign man made materials.

Level Contour – Place filter socks on the level contour of the land so that flows are dissipated into uniform sheet flow. Flow coming to filter socks must not be concentrated and the filter sock should lie perpendicular to flows.

Flat Slopes – When possible, place filter socks at a 5' or greater distance away from the toe of the slopes in order for the water coming from the slopes to maximize space available for sediment deposit (see the illustration). When this is not possible due to construction limitations, additional filter socks may be required upslope of the initial filter sock (see the chart below for appropriate slope lengths and spacing).

Flow Around Ends – In order to prevent water flowing around the ends of filter socks, the ends of the filter socks must be constructed pointing upslope so the ends are at a higher elevation.

Vegetation – For permanent areas, seeding filter socks is recommended to establish vegetation directly in the sock and immediately in front and back of the sock at a distance of 5 feet. Vegetating on and around the filter socks will assist in slowing down water for filtration creating a more effective longer-term sediment control.

Drainage Area: Generally filter socks are limited to 1/4 to 1/2 acre drainage area per 100 foot of the sediment barrier. Specific guidance is given in the chart below.

Table 6.6.1 Maximum Slope Length Above Filter Sock and Recommended Diameter

Slope	Ratio (H:V)	8"	12"	18"	24"
0% - 2%	10% - 20%	125	250	300	350
10% - 20%	50:1 - 10:1	100	125	200	250
2% - 10%	10:1 - 5:1	75	100	150	200
20% - 33%	5:1 - 2:1		50	75	100
>50%	>2:1		25	50	75

Note: For larger drainage areas, see standards for temporary diversions, sediment traps and sediment basins.

Dispersing flow – Sheet flow and runoff should not exceed berm height or capacity in most storm events. If overflow of the berm is a possibility, a larger filter sock should be installed or an alternative sediment control should be used.

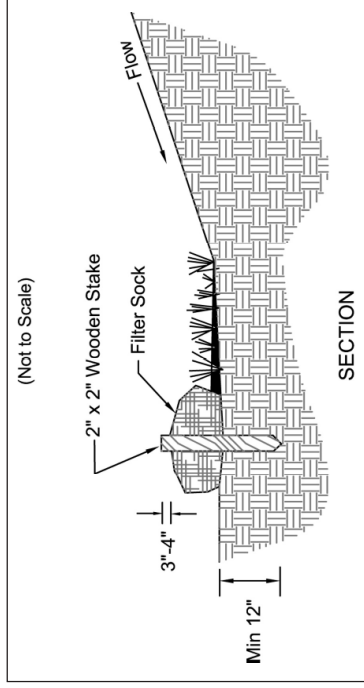
Maintenance – Filter socks should be regularly inspected to make sure they hold their shape, are ponding, and allowing adequate flow through. If ponding becomes excessive, filter socks should be replaced. Used filter socks may be cut and the compost dispersed and seeded to prevent captured sediment from being resuspended.

Removal – When construction is completed on site, the filter socks may be cut and dispersed with a loader, rake, bulldozer or other device to be incorporated into the soil or left on top of the soil for final seeding. The mesh netting material will be disposed of in normal trash container or removed by the contractor.

References

Standard Specification for Compost for Erosion/Sediment Control (Filter Berms) AASHTO Designation: MP-9 <http://www.iaasla.org/NEWS/FILES/AASHTO-Filterberm6.doc>

Specifications for Filter Sock



1. Materials – Compost used for filter socks shall be weed, pathogen and insect free and free of any refuse, contaminants or other materials toxic to plant growth. They shall be derived from a well-decomposed source of organic matter and consist of particles ranging from 3/8" to 2".
2. Filter Socks shall be 3 or 5 mil continuous, tubular, HDPE 3/8" knitted mesh netting material, filled with compost passing the above specifications for compost products.

INSTALLATION:

3. Filter socks will be placed on a level line across slopes, generally parallel to the base of the slope or other affected area. On slopes approaching 2:1, additional socks shall be provided at the top and as needed mid-slope.
4. Filter socks intended to be left as a permanent filter or part of the natural landscape, shall be seeded at the time of installation for establishment of permanent vegetation.

5. Filter Socks are not to be used in concentrated flow situations or in runoff channels.

MAINTENANCE:

6. Routinely inspect filter socks after each significant rain, maintaining filter socks in a functional condition at all times.
7. Remove sediments collected at the base of the filter socks when they reach 1/3 of the exposed height of the practice.
8. Where the filter sock deteriorates or fails, it will be repaired or replaced with a more effective alternative.
9. Removal – Filter socks will be dispersed on site when no longer required in such as way as to facilitate and not obstruct seedings.

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Summary: Correspondence Condition 27 compliance (part 2) electronically filed by Mr. Ryan D. Elliott on behalf of Paulding Wind Farm III LLC