



Legal Department

American Electric Power
1 Riverside Plaza
Columbus, OH 43215-2373
AEP.com

February 28, 2023

Ms. Tanowa Troupe, Secretary
Ohio Power Siting Board
180 East Broad Street
Columbus, Ohio 43215-3793

Hector Garcia
Senior Counsel –
Regulatory Services
(614) 716-3410 (P)
hgarcia1@aep.com

RE: Lee Extension 138 kV Transmission Line Project
Case No.: 22-0752-EL-BLN
Proof of Compliance with Condition (2)

Dear Ms. Troupe:

In satisfaction of Condition (2) of the Staff Report for this Project, AEP Ohio Transmission Company, Inc. submits this notice and attachment to inform you that the SWPPP and ROW permits have been approved for the above-referenced Project.

If you have any questions regarding this information, please do not hesitate to contact me.

Respectfully submitted,

/s/ Hector Garcia

Hector Garcia (0084517), Counsel of Record
Counsel for AEP Ohio Transmission Company, Inc.

cc: John Jones, Counsel OPSB Staff
Jon Pawley, OPSB Staff



February 02, 2023

Ed Micich
AEP OHIO TRANSMISSION COMPANY, INC.
8600 Smith's Mill Road
New Albany, Ohio, 43054

RE: Proposed installation of aerial transverse wirelines consisting of four (4) 138kV and one (1) shield wire

**Blue Ridge Division, at Mile Post RR-91.63
Albany, Athens County, Ohio
Latitude / Longitude: 39.22234345 / -82.1948899
NS Activity No. 1308759**

Dear Ed Micich:

Attached for your records is a copy of the fully executed agreement countersigned by Norfolk Southern Railway Company ("Railway").

For Scheduling of Flagging & Construction Monitoring submit a Protection Services Coordination request online at: <https://ns.railprosspermitting.com>

If you have questions regarding the Protection Service request process, the work plan requirements, or need assistance submitting a request, please send an email to NS.Coordinator@RailPros.com or call (402) 965-0539. It is recommended that the contractor or construction field manager submit the request as information on specific construction means and methods are required. Projects are scheduled only after the construction work plan has been approved. **Entry onto Railway's property without the Division Engineer or their representative's prior approval is considered trespassing.**

Sincerely,
Valerie Harrill

Valerie Harrill
Real Estate Specialist

SUPPLEMENTAL LETTER

THIS SUPPLEMENTAL LETTER is made by and between Norfolk Southern Railway Company for itself ("Railway"), and AEP OHIO TRANSMISSION COMPANY, INC., a whose address is 8500 Smiths Mill Road, New Albany, Ohio 43054 ("AEP"), to serve as notice to all third parties that Railway and AEP have entered into that certain Crossing Agreement (the "Agreement") dated November 19, 2018, (Railway Agreement No. 298528) copies of which are in possession of the Railway and AEP OHIO TRANSMISSION COMPANY, INC., incorporated herein by reference and made a part hereof for all purposes.

Subject to the terms and conditions set forth in the Agreement, Railway has consented to AEP OHIO TRANSMISSION COMPANY, INC.'s constructing and maintaining an aerial transverse wirelines consisting of four (4) 138kV and one (1) shield wire of the Railway's rail corridor at or near:

Milepost/Line Name: RR-91.63 /Brice-Hobson Junction

Latitude 39.22234345, Longitude -82.1948899

Town/City, County, State: Albany, Athens, Ohio

Valuation Section, Map, Stationing: 307 / 19 11446+48 -

and as depicted on **Exhibit "A"**, dated January 11, 2023, attached hereto and made a part hereof for all applicable purposes.

This Memorandum is subject to all of the terms and conditions of the Agreement, which is incorporated herein by reference. It is understood by the parties hereto that the Agreement constitutes the entire agreement between the Railway and AEP with respect to the subject matter hereof. This Memorandum shall not be construed to modify or amend the Agreement in any respect. Capitalized terms used herein shall have the meanings defined in the Agreement.

EXECUTED January 30, 2023, but effective for all purposes as of the commencement date of the Agreement.

NORFOLK SOUTHERN RAILWAY COMPANY

By: Solomon Jackson
Its: Real Estate Manager

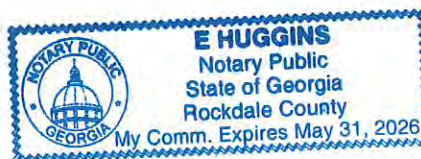
STATE OF Georgia)
COUNTY OF Rockdale) SS:

The foregoing Memorandum of Crossing was acknowledged before me this 30th day of January, 2023 by Solomon Jackson.

E Huggins
Notary Public

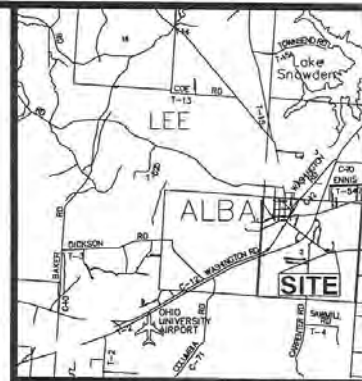
My Commission Expires: 5/31/2026

Activity Number: 1308759
Valerie Harrill : 01/12/2023



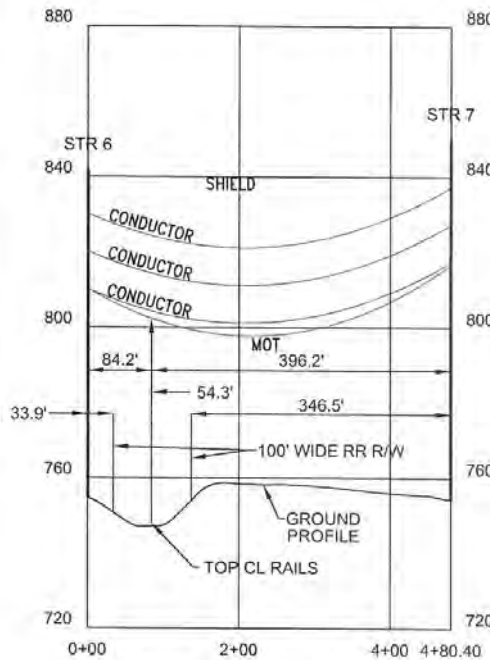
CONDUCTOR: DRAKE ACSR 795KCMIL 26/7 (138Kv OPERATION & DESIGN)
 ABC TOP TO BOTTOM PHASING
 SHIELD WIRE: 7#8 ALUMOWELD
 MOT=MAXIMUM OPERATING TEMPERATURE
 NO GUYED STRUCTURES ON THIS LINE

EXHIBIT "A"



VICINITY MAP (NTS)

ADJACENT SPAN
 LENGTH BETWEEN
 STR 5 & STR 6=
 413.6±'



ADJACENT SPAN
 LENGTH BETWEEN
 STR 7 & STR 8=
 182.0±'

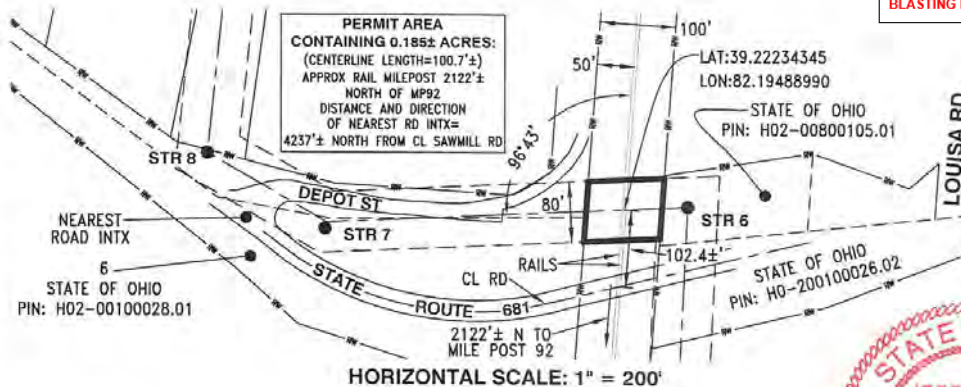
HORIZONTAL SCALE: 1" = 200'
 VERTICAL SCALE: 1" = 40'

EXHIBIT A

Norfolk Southern Railway Company
 Accompanying Agreement With
 AEP Ohio Transmission Company, Inc.

Activity No.:	1308759	E.S.:	11446+48
Division:	Blue Ridge	Mile Post:	RR-91.63
Val Sec:	307	Map No.:	19
City:	Albany	County:	Athens
State:	Ohio		
Lat:	39.22234345	Long:	-82.1948899

All work to be performed in accordance
 with the latest approved Norfolk Southern
 NSCE-4 and NSCE-8 Specifications
BLASTING NOT PERMITTED



HORIZONTAL SCALE: 1" = 200'

NOTES:

THIS DRAWING WAS PREPARED FOR THE LIMITED USE OF
 OHIO POWER COMPANY FOR EASEMENT PURPOSES ONLY
 AND IS NOT INTENDED TO REPRESENT A COMPLETE SURVEY
 OF THE PROPERTY. ROAD RIGHT OF WAY WIDTHS PER
 COUNTY ENGINEER OR ODOT UNLESS OTHERWISE NOTED.

BEARINGS SHOWN HEREON ARE BASED ON THE OHIO STATE
 PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE (NAD 83).

LEGEND

- POWER LINE RIGHT-OF-WAY LINE
- CENTERLINE OF POWER LINE
- ROAD/RAILROAD RIGHT-OF-WAY
- PROPERTY LINE (APPROXIMATE)
- ▭ PERMIT AREA

EXLINE SURVEYING, INC.

10356 State Route 139
 Jackson, Ohio 45640

Phone: (740) 232-0012
 Fax: (740) 232-9224

JEFFREY L. CRAYCRAFT
 PROFESSIONAL SURVEYOR 7932

DATE

138Kv DESIGN & OPERATION
 LINE NAME: LEE EXTENSION
 LINE NUMBER: TLN380:OH213

OHIO POWER COMPANY

KANAWHA RIVER RAILROAD
 CONTAINING 0.185± ACRES (100.7 LINEAR FEET)

SITUATED IN THE STATE OF OHIO, COUNTY OF ATHENS, TOWNSHIP OF LEE
 LOCATED IN VILLAGE OF ALBANY, SECTION #2, TOWNSHIP #10, RANGE #15

SCALE: AS NOTED	DATE: 10-24-2022	FILE: 20091B RAILROAD EXHIBIT	SHEET: 1 OF 1
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Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

October 19, 2022

AEP Ohio Transmission Company, Inc.
Kelli Boren
212 E. 6th Street
Tulsa OK 74119

Re: Approval Under Ohio EPA National Pollutant Discharge Elimination System (NPDES) – Construction Site Stormwater General Permit – OHC000005

Dear Applicant,

Your NPDES Notice of Intent (NOI) application is approved for the following facility/site. Please use your Ohio EPA Facility Permit Number in all future correspondence.

Facility Name:	Lee Extension 138kV Transmission Line
Facility Location:	SR 681 and Depot Street
City:	Albany
County:	Athens
Township:	Lee
Ohio EPA Facility Permit Number:	0GC04082*AG
Permit Effective Date:	October 19, 2022
Permit Expiration Date:	April 22, 2023

Please read and review the permit carefully. The permit contains requirements and prohibitions with which you must comply. A copy of the general permit may be viewed or downloaded from [here](#). Coverage under this permit will remain in effect until a renewal of the permit is issued by the Ohio EPA.

If more than one operator (defined in the permit) will be engaged at the site, each operator shall seek coverage under the general permit. Additional operator(s) shall submit a Co-Permittee NOI to be covered under this permit. There is no fee associated with the Co-Permittee NOI form.

Please be aware that this letter only authorizes discharges in accordance with the above referenced General Permit. The placement to fill into regulated waters of the state may require a 401 Water Quality Certification and/or Isolated Wetlands Permit from Ohio EPA. Failure to obtain the required permits in advance is a violation of Ohio Revised Code 6111 and potentially subjects you to enforcement and civil penalties.

If you need assistance or have questions, please call (614) 644-2001 and ask for Construction Site Stormwater General Permit support or visit our website at epa.ohio.gov.

Sincerely,

Laurie A. Stevenson
Director



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: AEP Ohio Transmission Company, Inc.

Mailing (Applicant) Address: 212 E. 6th Street

City: Tulsa

State : OK

Zip Code: 74119

Country: USA

Contact Person: Kelli Boren

Phone: (918) 691-0435

Fax:

Contact E-mail Address: ksboren@aep.com

II. Facility/Site Location Information

Facility/Site Name: Lee Extension 138kV Transmission Line

Facility Address: SR 681 and Depit Street

City: Albany

State: OH

Zip Code: 45701

County: Athens

Township: Alexander

County: Athens

Township: Lee

Facility Contact Person: Scott McMannus

Phone: (740) 277-8669

Fax:

Facility Contact E-mail Address: samcmannus@aep.com

Latitude: 39.2224

Longitude: -82.188

Facility/Map Attachment Lee Extension
Location map.pdf

Receiving Stream or MS4:

III. General Permit Information

General Permit Number: OHC000005

Coverage Type: New

Type of Activity: Construction Site Stormwater General Permit

SIC Code(s):

Existing NPDES Facility Permit Number: 0GC04082*AG

ODNR Coal Mining Application Number:

If Household Sewage Treatment System, is system for:

New Home Construction:

Replacement of failed existing system:

Outfall

Design Flow (MGD):

Associated Permit Effluent Table:

Receiving Water :

Latitude

Longitude

Are These Permits Required?

PTI: NO

Individual 401 Water Quality Certification: NO

Individual NPDES: NO

Isolated Wetland: NO

U.S. Army Corp Nationwide Permit: NO

Proposed Project Start Date(if applicable): January 01, 2023

Estimated Completion Date(if applicable): December 28, 2023

Total Land Disturbance (Acres): 4

MS4 Drainage Area (Sq. Miles):

SWP3 Attachment(s): <None>

IV. Payment Information

Check #:

Check Amount:

Date of Check:

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: Kelli Boren

Title: Project Environmental Support Manager

Signature: Electronically submitted by 75001975	Date: Electronically submitted on 10/13/2022
ADDITIONAL INFORMATION	
<i>Please add any additional comments or attachments below.</i>	

LEE EXTENSION 138 KV TRANSMISSION LINE PROJECT

Work Order: T1016933800/P19225031

ATHENS COUNTY, OHIO

LAT/LONG: (39.2232°, -82.1876°)

STORM WATER POLLUTION PREVENTION PLAN (SWP3)



Prepared for:

AEP Ohio Transmission Company, Inc.
8600 Smith's Mill Road
New Albany, OH 43054

Prepared by:

WSP USA
312 Elm Street
Cincinnati, OH 45206

Site Contact: Scott McManus
Phone: 740-227-8669
E-mail: samcmanus@aep.com

October 2022

Project Start Date: January 2023
Project End Date: December 2023

LEE EXTENSION 138 KV TRANSMISSION LINE PROJECT

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."

Name: Kelli Boren

Title: Project Environmental Manager

Signature: *Kelli Boren*

Date: 10/10/2022

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APPENDIX 1 – Ohio EPA General Permit No. OHC000005

APPENDIX 2 – Project Location Map, Soil Erosion and Sediment Control Plan, USDA Soils Map, Watershed (HUC-12) Map, and ODNR Rainwater and Land Development Manual Details

APPENDIX 3 – SWP3 Inspection Form and SWP3 Amendments, Grading, and Stabilization Log

APPENDIX 4 – Duty to Inform Contractors and Subcontractors Signature Form

I. Site Description

A. Description of Construction Activity

The Lee Extension 69kV Transmission Line Project (Project) extends existing 138 kV transmission line between the existing Lee Substation, located east of US-50 and north of OH-681 (39.2260°, -82.1956°), south to OH-681, then east to the existing Philo – Rutland 138 kV transmission line (39.2232°, -82.1876°). The 60-acre Project is located within Lee and Alexander Townships, Athens County, Ohio. Construction of the project will involve placing 11 new steel monopoles over approximately 0.9 miles of existing transmission line. Approximately 0.9 miles of temporary access roads will also be established to facilitate construction activities. The total project area is estimated at 60 acres and the maximum area of disturbance is approximately 4.0 acres.

B. Disturbed Area

Total Area of the Site – 60 acres

Total Disturbed Area – 4.0 acres

Table 1: Disturbed Area

County	Township/Village/City	Disturbance Acreage
Athens	Lee	3.0
	Alexander	1.0

C. Impervious Area

The proposed project will result in 11 new steel monopoles to be installed. However, the structures are not located in a concentrated location and are dispersed throughout project area. As a result, the single point of new impervious area at each pole location is well below 2 acres, and no receiving streams will be impacted by the impervious area created by the structure installations. Therefore, there will be no increase in impervious surface as a result of the proposed project.

D. Storm Water Calculations

Because this is a linear Project with temporary access roads and work pads, there will be no post-construction increase in runoff. The pre-construction and post-construction runoff coefficient is approximately 0.57.

E. Existing Soil Data

The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey was used to determine soil types within the Project area. A copy of the web-based soil map is included in Appendix 2. Soils in the Project area are shown in Table 2.

Table 2: Soil Types

Map Unit Symbol	Map Unit Description	Hydric Rating	Hydric %
Dol1A1	Doles silt loam, 0 to 2 percent slopes	Predominately Non-Hydric	2
GsC	Guernsey silt loam, 8 to 15 percent slopes	Non-Hydric	0
GuD	Guernsey-Upshur complex, 15 to 25 percent slopes	Non-Hydric	0
Lic1B1	Licking silt loam, 2 to 6 percent slopes	Non-Hydric	0
New1AF	Newark silt loam, 0 to 3 percent slopes, frequently flooded	Predominately Non-Hydric	5
Omu1B1	Omulga silt loam, 2 to 6 percent slopes	Non-Hydric	0
Omu1C1	Omulga silt loam, 6 to 12 percent slopes	Non-Hydric	0
Ud	Udorthents, loamy	Non-Hydric	0
UpC	Upshur silty clay loam, 8 to 15 percent slopes	Non-Hydric	0
UpD	Upshur silty clay loam, 15 to 25 percent slopes	Non-Hydric	0
WhC	Westmoreland-Guernsey silt loams, 8 to 15 percent slopes	Non-Hydric	0
WmD	Westmoreland-Upshur complex, 15 to 25 percent slopes	Non-Hydric	0

F. Prior Land Uses

The Project corridor contains the Lee Extension 138 kV transmission line right-of-way (ROW) which consists of residential communities, agricultural lands, and areas of undeveloped woody vegetation.

G. On-site Streams and Receiving Streams and Surface Waters

1. On-Site Waterbodies

Table 3: Delineated Streams

Stream ID	Stream Name	Flow Regime	Field Evaluation Score	Ohio EPA 401 Permitting Eligibility
Stream LE-1	UNT to Margaret Creek	Intermittent	35	Eligible
Stream LE-2	UNT to Margaret Creek	Intermittent	18	Eligible
Stream LE-3	UNT to Margaret Creek	Intermittent	26	Eligible

Table 4: Delineated Wetlands and Ponds

Wetland ID	Cowardin Classification	ORAM Category
Wetland LE-1	PEM	Category 1
Wetland LE-2	PEM	Category 1
Wetland LE-3	PEM	Category 1

2. Receiving Waters

The Project is in the Margaret Creek (HUC-12: 05030204-08-02), and Middle Leading Creek Watersheds (HUC-12: 05030202-07-01) which ultimately drains to the Hocking River or Ohio River.

H. Implementation Schedule

A construction log will be kept at the Project site to record major dates of grading and stabilization. The general order of construction is provided in Table 5 below and will begin in January 2023 and is estimated to end in December 2023.

Table 5: Implementation Schedule

Task	Date
Identify environmental avoidance areas in the field [i.e., wetlands, 50' stream buffers, other environmental commitments]	January 2023
Mobilize construction equipment	January 2023
Forestry clearing/grubbing to begin	January 2023
Install [erosion controls/BMPs] filter sock, timber matting, and temporary construction entrances, as needed	January 2023
Excavate foundations for new poles, install new poles	February 2023
Install temporary seed and mulch, as needed, during Project activities	February 2023
Grade pole locations to pre-existing conditions	August 2023
Install permanent seed and mulch	August 2023
Remove matting and temporary BMPs	September 2023

Repair/restore all remaining disturbed areas	September 2023
Seed and mulch all remaining disturbed areas	September 2023
Construction demobilization	December 2023
Inspection with AEP and SWP3 contractor	December 2023

I. Subdivided Development Drawing

Not applicable.

J. Dedicated Asphalt and Concrete Plant Discharges

Not applicable.

K. Log of Grading and Stabilization Activities

A log for documenting grading and stabilization activities and amendments to the SWP3 is included in Appendix 3.

L. Site Map

A vicinity of the Project area is included in Appendix 2, along with the Soil Erosion Sediment and Sediment Control Plan and details. The Soil Erosion and Sediment Control Plan shows the Project boundaries and contours, the limits of construction, and the locations of the erosion and sediment control features.

M. Permit Requirements

The permit requirements can be reviewed in the Ohio EPA General Permit No. OHC000005 which has been included as Appendix 1.

II. **Storm Water Pollution Prevention Plan**

The SWP3 was developed to meet the objectives in Part II. Non-numeric Effluent Limitations and Part III. Storm Water Pollution Prevention Plan (SWP3) of Ohio EPA General Permit No. OHC000005.

A. SWP3 Availability

This Plan, a copy of the Notice of Intent (NOI), and the Ohio EPA authorization shall be made available on-site immediately upon request of the director or an authorized representative during working hours. Per Ohio EPA, an electronic copy is an acceptable format for on-site availability and review.

B. Amendments

The SWP3 is a living document that will be updated as needed. The SWP3 shall be amended whenever there is a change in design, construction, operation or maintenance, or if the SWP3 proves to be ineffective in controlling pollutants in storm water discharges associated with construction activity. A log for documenting amendments is included in Appendix 3.

AEP Environmental Services shall be notified prior to any significant modifications to the SWP3, such as changes to the access roads, disturbance acreage, culvert installations, etc., to ensure the Project remains in compliance with Ohio EPA General Permit No. OHC000005.

C. Duty to Inform Contractors

All contractors and subcontractors who will be involved in implementation of the SWP3 shall review and understand the conditions and responsibilities of the SWP3 and document their acknowledgement by signing the form included in Appendix 4.

D. Controls

Timing: Temporary erosion and sediment control measures shall be installed prior to earth-disturbing activity. Temporary control measures will not be removed until final site stabilization, in the form of permanent gravel cover or perennial vegetative cover with a density of at least 70%, is achieved.

The locations of the control methods are shown on the Soil Erosion and Sediment Control Plans in Appendix 2. Maintenance and inspections requirements for these controls can be found in Section II.D.6 of this SWP3. The control measures for this Project include the following:

1. Preservation Methods

Existing natural conditions shall be preserved as much as feasible. Such practices may include: preserving existing vegetation, vegetative buffer strips, and existing soil profile and topsoil; minimizing soil compaction; minimizing disturbance of steep slopes; phasing of construction operations to minimize the amount of disturbed land at any one time; and protective clearing or grubbing practices. For all construction activity adjacent to surface waters of the state, a 50-foot undisturbed natural buffer will be maintained as measured from the ordinary high water mark (OHWM).

2. Erosion, Sediment, and Runoff Controls

a. *Stabilization and Seeding*

Disturbed areas will be stabilized as specified in tables 6 and 7 below per the Soil Erosion and Sediment Control Plan and BMP detail sheets in Appendix 2. Mulch shall be applied to all exposed soil that has been seeded in an effort to facilitate seed germination and development.

Table 6: 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 calendar days of the most recent disturbance.
Any areas within 50 feet of a surface water of the state and at final grade.	Within two calendar days of reaching final grade.
Other areas at final grade.	Within seven calendar days of reaching final grade within that area.

Table 7: 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 calendar days of the most recent disturbance if the area will remain idle for more than 14 calendar days.
Any disturbed areas that will be dormant for more than 14 calendar days but less than one year, and not within 50 feet of a surface water of the state.	Within seven calendar 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.

b. *Sediment Barriers and Diversions*

Filter sock will be installed to encompass the entire site at all appropriate locations to filter sediment from site runoff. Orange barrier fencing will be used as needed and to protect wetland areas and 50-foot natural stream buffers. After Project completion, the posts, fencing, and ties shall be removed from the Project site and transported to an appropriate off-site disposal facility.

c. *Wetland and Stream Crossings*

Stream and wetland crossings shall be avoided where possible by accessing pole locations from either side of the surface waters. Temporary wetland crossings for this Project are limited to wetlands as shown on the Plans in Appendix 2 and shall consist of geotextile fabric and prefabricated wood matting lined with filter sock and orange barrier fence. Timber mat or span bridge stream crossings are limited to streams shown on the Plans in Appendix 2 and shall not be placed below the OHWM. Timber matting/span bridges shall span the stream(s) from bank to bank. No fording of the stream is permitted.

After construction is completed, the wood mats and geotextile fabric shall be removed, and the area seeded with a wetland seed mix (see enclosed seed mix in Appendix 2).

d. *Temporary Construction Entrances*

Construction entrances consisting of a stabilized pad of aggregate will be installed where construction vehicles leave active construction areas and enter public roadways to reduce the amount of sediment tracked offsite. Temporary construction entrance locations and details are provided in Appendix 2.

e. *Sediment Settling Ponds / Sediment Basins*

Not Applicable

3. Surface Water Protection

No direct discharge to surface waters is proposed for this Project. Surface waters will be protected through the erosion and sediment controls outlined in the sections above.

4. Other Controls

a. *Non-sediment Pollutant Controls*

Waste disposal containers shall be provided for proper collection of all waste material including sanitary garbage, petroleum products and any materials to be used onsite (excluding inert waste/materials such as construction debris that would not be expected to contribute pollution to storm water). Containers shall be covered and not leaking. No construction waste materials shall be buried on-site. All waste materials shall be disposed of in the manner specified by local or state regulations or by the manufacturer. No solid or liquid wastes will be discharged in storm water runoff.

b. *Off-site Traffic and Dust Control*

Any paved roads adjacent to the site entrance shall be swept to remove any excess mud, dirt, or rock tracked from the site, as necessary. Dump trucks hauling materials to or from the site shall be covered with a tarpaulin. Dust control shall be observed both on and off the site for the duration of the Project. Dust and sedimentation will be minimized by limiting earth-moving activities, site traffic, and soil and vegetation disturbances throughout the site. Chemical stabilizers and adhesives will not be used unless written permission is received from AEP Environmental Representative. Dust control details can be found in Appendix 2.

c. *Concrete Washouts*

Concrete washouts will be in upland areas outside of wetlands or flood zones. Under no circumstances will concrete trucks wash out into a drainage channel, storm sewer or surface water.

d. *Wash Water*

Water from vehicle washing, wheel washing, and other wash waters will be treated appropriately prior to discharge to minimize pollutants. Spills and leaks will be prevented and responded to as necessary.

e. *Compliance with Other Requirements*

This SWP3 is consistent with state and/or local waste disposal, sanitary sewer or septic system regulations including provisions prohibiting waste disposal by open burning. Spill response, disposal of suspect contaminated soils and clean-up activities are initiated by calling the AEP Regional Environmental Coordinator (REC).

f. *Trench and Groundwater Control and Dewatering*

Trench dewatering and groundwater control is not likely since this is an overhead line and any necessary trenching will be relatively shallow and short in duration. Dewatering may be needed if surface or subsurface water creates conditions where pole or foundation placement is being prevented or hindered and removing the water has the potential to contribute sediment to surface waters. If dewatering is needed, water shall be pumped directly into a dewatering device such as a tube or bag that has been sized according to the flow rate of the dewatering pump and the predominant sediment size (woven for sand, non-woven for silt and clay). Upon construction completion, accumulated sediment shall be removed from the dewatering device and

either placed in an upland part of the site where it shall then be seeded and mulched or shall be removed to an appropriate off-site disposal facility.

g. *Contaminated Sediment*

Contaminated soils are not expected to be encountered on this Project. However, if they should exist within the limits of construction, they will be disposed of properly per direction of the AEP Regional Environmental Coordinator (REC).

5. Post-Construction Storm Water Management Requirements

There will be no increase in impervious surfaces as a result of the construction work on 138 kV transmission line. Therefore, there will be no change from pre- to post-construction runoff, and post-construction storm water management is not required per Part III.G.2.e of Ohio EPA General Permit No. OHC000005

6. Maintenance and Inspections Requirements

*All temporary and permanent control practices shall be maintained and repaired as needed to ensure continued performance of their intended function. All erosion and sediment control measures shall be inspected:

- Once every seven calendar days; and,
- After any storm event greater than one-half inch of rain per 24-hour period by the end of the next calendar day, excluding weekends and holidays unless work is scheduled.

An inspection report shall be made after each inspection. The SWP3 Inspection Form is included in Appendix 3.

*The Contractor shall select at least two qualified individuals responsible for inspections, maintenance, and repair activities, and filling out the SWP3 Inspection Form and SWP3 Amendments, Grading, and Stabilization Log in Appendix 3. Personnel selected for these responsibilities shall be knowledgeable and experienced in all inspection and maintenance practices necessary for keeping the erosion and sediment controls in good working order.

*If an inspection reveals that a control is in need of repair or maintenance, with the exception of a sediment settling pond, it shall be repaired or maintained within three calendar days of the inspection. Sediment ponds will be repaired or maintained within 10 calendar days of the inspection. If an inspection reveals that a control fails to perform its intended function and that another, more appropriate control is required, the SWP3 shall be amended and the new control shall be installed within 10 calendar days of the inspection. If an inspection reveals a control has been installed inappropriately or incorrectly, the control will be replaced or modified for site conditions.

*When controls are modified, the erosion control drawings associated with the SWP3 will be updated to reflect the modifications, and the changes will be reflected using the SWP3 Amendments, Grading, and Stabilization Log in Appendix 3.

- Filter sock shall be inspected for depth of sediment, tears, and to ensure the anchor posts are firmly in the ground. Filter sock shall also be inspected to ensure they are maintained in the appropriate positions per the plans in Appendix 2. Built up sediment shall be removed from the filter sock when it has reached one-third the height of the sock.
- Orange barrier fence shall be inspected to ensure the fence is erect and functioning as intended per the plans in Appendix 2.

- Temporary and permanent seeding shall be inspected for bare spots, washouts, and healthy growth. If seed does not germinate in an area on which it was placed, the area will either be re-seeded or an alternate erosion control method will be employed.
- Locations where vehicles and equipment enter or exit the site shall be inspected for evidence of off-site tracking of sediment. Sediment being tracked onto off-site roadways shall be cleaned up promptly.
- Excess concrete should be removed when the washout system reaches 50 percent of the design capacity. Use of the system should be discontinued until appropriate measures can be initiated to clean out the structure. Prefabricated systems should also utilize this criterion unless the manufacturer has alternative specifications.

*The permittee shall maintain the SWP3 Inspection Forms for three years following the submittal of a notice of termination (NOT) form. The Inspection Forms shall be signed in accordance with Part V.G of Ohio EPA General Permit OHC000005.

III. Approved State or Local Plans

The erosion and sediment control plans were prepared in accordance with Ohio EPA Permit No. OHC000005.

IV. Exceptions

There are no exceptions to the erosion and sediment control practices contained in the Ohio EPA General Permit No. OHC000005.

APPENDIX 1

Ohio EPA General Permit No. OHC000005



Issuance Date: April 23, 2018
Effective Date: April 23, 2018
Expiration Date: April 22, 2023

Ohio EPA Permit 23-189
Entered Director's Journal

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, development (and submittal, if applicable) of a complete Storm Water Pollution Prevention Plan (SWP3) and written approval of coverage from the director of Ohio EPA in accordance with Ohio Administrative Code ("OAC") Rule 3745-38-02.



Craig W. Butler
Director

Total Pages: 60

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.

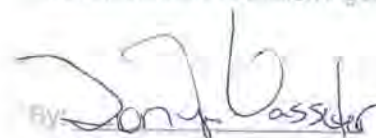
By:  Date: 4-23-18

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PART I. COVERAGE UNDER THIS PERMIT

A. Permit Area.

This permit covers the entire State of Ohio. Appendices A and B of this permit contain additional watershed specific requirements for construction activities located partially or fully within the Big Darby Creek Watershed and portions of the Olentangy River Watershed. Projects within portions of the Olentangy River watershed shall seek coverage under this permit following the expiration of OHCO00002 (May 31, 2019).

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 one or more acres. 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 are 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 ceased, 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 3745-38-02. 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 and Storm Water Pollution Prevention Plan (SWP3) if located within the Big Darby Creek watershed or portions of the Olentangy watershed 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, a completed Storm Water Pollution Prevention Plan (SWP3) for projects within the Big Darby Creek and portions of the Olentangy river watersheds and appropriate fee at least 21 days (or 45 days in the Big Darby Creek watershed and portions of the Olentangy watershed) 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 prior to engaging in construction activities. 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. 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. How to submit an NOI. Operators seeking coverage under this permit must submit a complete and accurate Notice of Intent (NOI) application using Ohio EPA's electronic application form which is available through the Ohio EPA eBusiness Center at: <https://ebiz.epa.ohio.gov/>. Submission through the Ohio EPA eBusiness Center will

require establishing an Ohio EPA eBusiness Center account and obtaining a unique Personal Identification Number (PIN) for final submission of the NOI. Existing eBusiness Center account holders can access the NOI form through their existing account and submit using their existing PIN. Please see the following link for guidance:

<http://epa.ohio.gov/dsw/ebs.aspx#170669803-streams-guidance>. Alternatively, if you are unable to access the NOI form through the agency eBusiness Center due to a demonstrated hardship, the NOI may be submitted on a paper NOI form provided by Ohio EPA. NOI information shall be typed on the form. Please contact Ohio EPA, Division of Surface Water at (614) 644-2001 if you wish to receive a paper NOI form.

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 shall have continuing coverage under OHC000005 with the submittal of a timely renewal application. Within 180 days from the effective date of this permit, 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 180-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. You shall develop and implement the SWP3 in accordance with Part III of this permit to satisfy these 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 and stream 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
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
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 washwater, and other washwaters. Washwaters shall be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 2. Minimize the exposure of construction materials, products, and wastes; landscape materials, fertilizers, pesticides, and 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 or all other waste water streams which could be subject to an individual NPDES permit (Part III.G.2.g).
- 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.)
- G. Post-Construction Storm Water Management Controls.** So that receiving stream's physical, chemical and biological characteristics are protected, and stream functions are maintained, post-construction storm water practices shall provide long-term management of runoff quality and quantity.

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 clearly identify all activities which are required to be authorized under Section 401 and subject to an antidegradation review. 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 and impact of storm water discharges during construction and pollutants associated with the post-construction land use to ensure compliance with ORC Section 6111.04, OAC Chapter 3745-1 and the terms and conditions of this permit.

B. Timing.

An acceptable SWP3 shall be completed and submitted to the applicable regulated MS4 entity (for projects constructed entirely within a regulated MS4 area) prior to the timely submittal of an NOI. Projects within the Big Darby Creek and portions of the Olentangy watersheds must submit a SWP3 with the NOI. The SWP3 shall be updated in accordance with Part III.D. Submission of a SWP3 does not constitute review and approval on the part of Ohio EPA. 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.

In order to continue coverage from the previous generations of this permit, the permittee shall review and update the 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, 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.

Examples of OHC000005 permit conditions that would be infeasible for permittees renewing coverage to comply with include:

- OHC000005 post-construction requirements, for projects that obtained NPDES construction storm water coverage and started construction activities prior to the effective date of this permit;
- OHC000005 post-construction requirements, for multi-phase development projects with an existing regional post-construction BMP issued under previous NPDES post-construction requirements. This only applies to construction sites authorized under Ohio EPA's Construction Storm Water Permits issued after April 20, 2003;
- OHC000005 post-construction requirements, for renewing or initial coverage and you have a SWP3 approved locally and you will start construction within 180 days of the effective date of this permit;

- Sediment settling pond design requirements, if the general permit coverage was obtained prior to April 21, 2013 and the sediment settling pond has been installed; or
- Case-by-case situations approved by the Director.

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 7 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 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 earth disturbing activity 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. Specific conditions have been provided in Appendix A (for the Big Darby Creek Watershed) and Appendix B (for portions of the Olentangy river watershed).

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. A measure of the impervious area and percent imperviousness created by the construction activity (existing, new and total impervious area after construction);
 - d. Storm water calculations, including the volumetric runoff coefficients for both the pre-construction and post- construction site conditions, and resulting water quality volume; design details for post-construction storm water facilities and pretreatment practices such as contributing drainage areas, capacities, elevations, outlet details and drain times shall be included in the SWP3; and if applicable, explanation of the use of existing post-construction facilities. Ohio EPA recommends the use of data sheets (see Ohio’s Rainwater and Land Development manual and Ohio EPA resources for examples);
 - 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. A description of the condition of any on-site streams (e.g. prior channelization, bed instability or headcuts, channels on public maintenance, or natural channels);
- h. An implementation schedule which describes the sequence of major construction operations (i.e., designation of vegetative preservation areas, grubbing, excavating, grading, utilities, infrastructure installation and others) and the implementation of erosion, sediment and storm water management practices or facilities to be employed during each operation of the sequence;
- i. 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;
- j. For subdivided developments, a detail drawing of individual parcels with their erosion, sediment or storm water control practices and/or a typical individual lot showing standard individual lot erosion and sediment control practices.

A typical individual lot drawing 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;

- k. 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;
- 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 and/or known contaminated 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. The location of any delineated boundary for required riparian setbacks;
- v. Conservation easements or areas designated as open space, preserved vegetation or otherwise protected from earth disturbing activities. A description of any associated temporary or permanent fencing or signage;
- vi. 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;
- vii. Existing and planned locations of buildings, roads, parking facilities and utilities;
- viii. The location of all erosion and sediment control practices, including the location of areas likely to require temporary stabilization during site development;
- ix. Sediment traps and basins noting their sediment storage and dewatering (detention) volume and contributing drainage area. Ohio EPA recommends the use of data sheets (see Ohio EPA's Rainwater and Land Development manual and website for examples) to provide data for all sediment traps and basins noting important inputs to design and resulting parameters such as their contributing drainage area, disturbed area, detention volume, sediment storage volume, practice surface area, dewatering time, outlet type and dimensions;
- x. The location of permanent storm water management practices (new and existing) including pretreatment practices to be used to control pollutants in storm water after construction operations have been completed along with the location of existing and planned drainage features including catch basins, culverts, ditches, swales, surface inlets and outlet structures;
- xi. 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;
- xii. The location of designated construction entrances where the vehicles will access the construction site; and
- xiii. The location of any areas of proposed floodplain fill, floodplain excavation, stream restoration or known temporary or permanent 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.h: (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. 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, vegetative buffer strips, and existing soil profile and topsoil; phasing of construction operations 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 provide cover over disturbed soils unless an exception is approved in accordance with Part III.G.4. A description of control practices designed to re-establish vegetation or suitable cover on disturbed areas after grading 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, sediment barriers, 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 upslope development area is stabilized with permanent cover. 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 or collected 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; or
 - Runoff from drainage areas that exceed the design capacity of inlet protection.

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. 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.

Accumulated sediment shall be removed from the sediment storage zone once it exceeds 50 percent of the minimum required sediment storage design capacity and prior to the conversion to the post-construction practice unless suitable storage is demonstrated based upon over-design. 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 ($\geq 2:1$ 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. Combining multiple sediment and erosion control measures in order to maximize pollutant removal is encouraged.

- iii. **Sediment Barriers and Diversions.** Sheet flow runoff from denuded areas shall be intercepted by sediment barriers 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. For most applications, standard silt fence may be substituted with a 12-inch diameter sediment barrier. The relationship between the maximum drainage area to sediment barrier for a particular slope range is shown in the following table:

Table 3 Sediment Barrier Maximum Drainage Area Based on Slope

Maximum drainage area (in acres) to 100 linear feet of sediment barrier	Range of slope for a particular drainage area (in percent)
0.5	< 2%
0.25	$\geq 2\%$ but < 20%
0.125	$\geq 20\%$ but < 50%

Placing sediment barriers 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. Diversion practices, 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. 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 long-term 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 is authorized by a CWA 401 water quality certification, CWA 404 permit, or Ohio EPA non-jurisdictional wetland/stream program approval. Note: local jurisdictions may have more stringent post-construction requirements.

Detail drawings and maintenance plans shall be provided for all post-construction BMPs in the SWP3. 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). Maintenance plans shall ensure that pollutants collected within structural post-construction practices are disposed of in accordance with local, state, and federal regulations. To ensure that storm water management systems function as

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; (5) construction drawings or excerpts showing the plan view, profile and details of the outlet(s); (6) a map showing all access and maintenance easements; and (7) for table 4a/4b practices, provide relevant elevations and associated volumes that dictate when removal of accumulated sediments must occur. Permittees are responsible for assuring all post-construction practices meet plan specifications and intended post-construction conditions have been met (e.g., sediment removed from, and sediment storage restored to, permanent pools, sediment control outlets removed and replaced with permanent post-construction discharge structures, and all slopes and drainageways permanently stabilized), but 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., park lands), 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 to achieve final stabilization of the disturbed area as defined in Part VII.M.1.

For all construction activities that will disturb two or more acres of land or will disturb less than two acres that are part of a larger common plan of development or sale which will disturb two or more acres of land, the post construction BMP(s) chosen shall be able to manage storm water runoff for protection of stream channels, stream stability, and 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 0.90-inch rainfall and shall be determined using the following equations:

$$WQ_v = R_v * P * A / 12 \quad (\text{Equation 1})$$

where:

WQ_v = water quality volume in acre-feet
R_v = the volumetric runoff coefficient calculated using equation 2
P = 0.90 inch precipitation depth
A = area draining into the BMP in acres

$$R_v = 0.05 + 0.9i \quad (\text{Equation 2})$$

where i = fraction of post-construction impervious surface

An additional volume equal to 20 percent of the WQ_v shall be incorporated into the BMP for sediment storage. Ohio EPA recommends BMPs be designed according to the methodology described 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 Tables 4a and 4b below are 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 in less than one-third of the drain time. The WQ_v is the volume of storm water runoff that must be detained by a post-construction practice as specified by the most recent edition of the Rainwater and Land Development manual.

Post-construction practices shall be sized to treat 100% of the WQ_v associated with their contributing drainage area. If there is an existing post-construction BMP that treats runoff from the disturbed area and the BMP meets the post-construction requirements of this permit, no additional post-construction BMP will be required. A regional storm water BMP may be used to meet the post-construction requirement if: (1) the BMP meets the design requirements for treating the WQ_v; and (2) a legal agreement is established through which the regional BMP owner or operator agrees to provide this service in the long term. Design information for such facilities such as contributing drainage areas, capacities, elevations, outlet details and drain times shall be included in the SWP3.

Table 4a Extended Detention Post-Construction Practices with Minimum Drain Times

Extended Detention Practices	Minimum Drain Time of WQ_v
Wet Extended Detention Basin ^{1,2}	24 hours
Constructed Extended Detention Wetland ^{1,2}	24 hours
Dry Extended Detention Basin ^{1,3}	48 hours
Permeable Pavement – Extended Detention ¹	24 hours
Underground Storage – Extended Detention ^{1,4}	24 hours
Sand & Other Media Filtration - Extended Detention ^{1, 5}	24 hours

Notes:

1. The outlet structure shall not discharge more than the first half of the WQv in less than one-third of the drain time.
2. Provide a permanent pool with a minimum volume equal to the WQv and an extended detention volume above the permanent pool equal to 1.0 x WQv.
3. Dry basins must include a forebay and a micropool each sized at a minimum of 0.1 x WQv and a protected outlet, or include acceptable pretreatment and a protected outlet.
4. Underground storage must have pretreatment for removal of suspended sediments included in the design and documented in the SWP3. This pretreatment shall concentrate sediment in a location where it can be readily removed. For non-infiltrating, underground extended detention systems, pretreatment shall be 50% effective at capturing total suspended solids according to the testing protocol established in the Alternative Post-Construction BMP Testing Protocol.
5. The WQv ponding area shall completely empty between 24 and 72 hours.

Table 4b Infiltration Post-Construction Practices with Maximum Drain Times

Infiltration Practices	Maximum Drain Time of WQv
Bioretention Area/Cell ^{1,2}	24 hours
Infiltration Basin ²	24 hours
Infiltration Trench ³	48 hours
Permeable Pavement – Infiltration ³	48 hours
Underground Storage – Infiltration ^{3,4}	48 hours

Notes:

1. Bioretention soil media shall have a permeability of approximately 1 – 4 in/hr. Meeting the soil media specifications in the Rainwater and Land Development manual is considered compliant with this requirement. Bioretention cells must have underdrains unless in-situ conditions allow for the WQv (surface ponding) plus the bioretention soil (to a depth of 24 inches) to drain completely within 48 hours.
2. Infiltrating practices with the WQv stored aboveground (bioretention, infiltration basin) shall fully drain the WQv within 24 hours to minimize nuisance effects of standing water and to promote vigorous communities of appropriate vegetation.
3. Subsurface practices designed to fully infiltrate the WQv (infiltration trench, permeable pavement with infiltration, underground storage with infiltration) shall empty within 48 hours to recover storage for subsequent storm events.
4. Underground storage systems with infiltration must have adequate pretreatment of suspended sediments included in the design and documented in the SWP3 in order to minimize clogging of the infiltrating surface. Pretreatment shall concentrate sediment in a location where it can be readily removed. Examples include media filters situated upstream of the storage or other suitable alternative approved by Ohio EPA. For infiltrating underground systems, pretreatment shall be 80% effective at capturing total suspended solids according to the testing protocol established in the Alternative Post-Construction BMP Testing Protocol.

Small Construction Activities. For all construction activities authorized under this permit which result in a disturbance less than 2 acres, a post-construction practice shall be used to treat storm water runoff for pollutants and to reduce adverse impacts on receiving waters. The applicant must provide a justification in the SWP3 why the use of table 4a and 4b practices are not feasible. The justification must address limiting factors which would prohibit the project going forward should table 4a and 4b practices be required. Please note that additional practices selected will require approval from the regulated MS4. The use of green infrastructure BMPs such as runoff reducing practices is also encouraged.

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 Tables 4a and 4b are not feasible and the following criteria are met: (1) a maintenance agreement or policy is established to ensure operations and treatment long-term; (2) the offsite location discharges to the same HUC-12 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 application.

Previously Developed Areas - Ohio EPA encourages the redevelopment of previously graded, paved or built upon sites through a reduction of the WQv treatment requirement. For a previously developed area, one or a combination of the following two conditions shall be met:

- A 20 percent net reduction of the site's volumetric runoff coefficient through impervious area reduction with soil restoration or replacing impervious roof area with green roof area (for these purposes green roofs shall be considered pervious surface) or
- Treatment of 20 percent of the WQv for the previously developed area using a practice meeting Table 4a/4b criteria.

Where there is a combination of redeveloped areas and new development, a weighted approach shall be used with the following equation:

$$WQv = P * A * [(Rv_1 * 0.2) + (Rv_2 - Rv_1)] / 12 \quad (\text{Equation 3})$$

where

P = 0.90 inches

A = area draining into the BMP in acres

Rv₁ = volumetric runoff coefficient for existing conditions (current site impervious area)

Rv₂ = volumetric runoff coefficient for proposed conditions (post-construction site impervious area)

Post-construction practices shall be located to treat impervious areas most likely to generate the highest pollutant load, such as parking lots or roadways, rather than areas predicted to be cleaner such as rooftops.

Runoff Reduction Practices. The size of structural post-construction practices used to capture and treat the WQv can be reduced by incorporating runoff

reducing practices into the design of the site's drainage system. The approach to calculate and document runoff reduction is detailed in the Rainwater and Land Development Manual. BMP-specific runoff reduction volumes are set by specifications in the Rainwater and Land Development Manual for the following practices:

- Impervious surface disconnection
- Rainwater harvesting
- Bioretention
- Infiltration basin
- Infiltration trench
- Permeable pavement with infiltration
- Underground storage with infiltration
- Grass swale
- Sheet flow to filter strip
- Sheet flow to conservation area

A runoff reduction approach may be used to meet the groundwater recharge requirements in the Big Darby Creek Watershed. The runoff reduction practices used for groundwater recharge may be used to reduce the WQv requirement, see appendix A for details on groundwater recharge requirements.

In order to promote the implementation of green infrastructure, the Director may consider the use of runoff reducing 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, e.g., sheet flow from perimeter areas such as the rear yards of residential lots, 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. Alternative post-construction BMPs shall previously have been tested to confirm storm water treatment efficacy equivalent to those BMPs listed in Tables 4a and 4b using the protocol described in this section. BMP testing may include laboratory testing, field testing, or both.

Permittees shall request approval from Ohio EPA to use alternative post-construction BMPs on a case-by-case basis. To use an alternative post-construction BMP, the permittee must demonstrate that use of a BMP listed in Tables 4a and 4b is not feasible and the proposed alternative post-construction BMP meets the minimum treatment criteria as described in this section. The permittee shall submit an application to Ohio EPA for any proposed alternative post-construction BMP. Where the development project is located within a regulated municipal separate storm sewer system (MS4) community, the use of an alternative practice requires pre-approval by the MS4 before submittal of the

Ohio EPA permit application. Ohio EPA requires that approvals for alternative post-construction BMPs are finalized before permittees submit an NOI for permit coverage.

In addition to meeting sediment removal criteria, the discharge rate from the proposed alternative 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. Discharge rate is considered to have a negligible impact if the permittee can demonstrate that one of the following three 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 storm water drainage system of the development discharges directly into a large river with drainage area equal to 100 square miles or larger upstream of the development site or to a lake where the development area is less than 5 percent of the watershed area, unless a TMDL has identified water quality problems into the receiving surface waters of the state.

If the conditions above that minimize the potential for hydrological impact to the receiving surface water of the state do not exist, then the alternative post-construction BMP must prevent stream erosion by reducing the flow rate from the WQ_v. In such cases, discharge of the WQ_v must be controlled. A second storm water BMP that provides extended detention of the WQ_v may be needed to meet the post-construction criteria.

Alternative Post-Construction BMP Testing Protocol. For laboratory testing, the alternative BMP shall be tested using sediment with a specific gravity of 2.65, a particle size distribution closely matching the distribution shown in Table 5, and total suspended sediment (TSS) concentrations within 10% of 200 mg/L (180 mg/L – 220 mg/L TSS). For an alternative BMP to be acceptable, the test results must demonstrate that the minimum treatment rate is 80% TSS removal at the design flow rate for the tested BMP.

Table 5 Particle Size Distribution for Testing Alternative Post-Construction BMPs

Particle Size (microns)	Percent Finer (%)
1,000	100
500	95
250	90
150	75
100	60
75	50
50	45
20	35
8	20
5	10
2	5

- For field testing, the alternative BMP shall be tested using storm water runoff

from the field, not altered by adding aggregate or subjecting to unusually high sediment loads such as those from unstabilized construction disturbance. The storm water runoff used for field testing shall be representative of runoff from the proposed installation site for the alternative BMP after all construction activities have ceased and the ground has been stabilized. The influent and effluent TSS concentrations of storm water runoff must be collected in the field. For an alternative BMP to be acceptable, the test results must demonstrate the minimum treatment rate is 80% TSS removal for influent concentrations equal to or greater than 100 mg/L TSS. If the influent concentration to the proposed alternative BMP is less than 100 mg/L TSS in the field, then the BMP must achieve an average effluent concentration less than or equal to 20 mg/L TSS.

- Testing of alternative post-construction BMPs shall be performed or overseen by a qualified independent, third-party testing organization;
- Testing shall demonstrate the maximum flow rate at which the alternative post-construction BMP can achieve the necessary treatment efficacy, including consideration for the potential of sediment resuspension;
- Testing shall demonstrate the maximum volume of sediment and floatables that can be collected in the alternative post-construction BMP before pollutants must be removed to maintain 80% treatment efficacy;
- Testing shall indicate the recommended maintenance frequency and maintenance protocol to ensure ongoing performance of the alternative post-construction BMP.

The alternative post-construction BMP testing protocol described in this section is similar to testing requirements specified by the New Jersey Department of Environmental Protection (NJDEP) for storm water Manufactured Treatment Devices (MTD) and therefore testing results certified by NJDEP shall be accepted by Ohio EPA. For examples of BMPs that have been tested using New Jersey Department of Environmental Protection's procedures, see the website: www.njstormwater.org.

Another nationally recognized storm water product testing procedure is the Technology Assessment Protocol – Ecology (TAPE) administered by the State of Washington, Department of Ecology. The TAPE testing procedure describes testing to achieve 80% TSS removal using a sediment mix with a particle size distribution with approximately 75% of the mass of the aggregate with particle diameters less than 45 microns. Overall, this particle size distribution is finer than the distribution in Table 5. Therefore, if TAPE testing results are available for a proposed alternative post-construction BMP, those results shall be accepted by Ohio EPA. The State of Washington, Department of Ecology website is <https://ecology.wa.gov/>.

Alternative BMPs that utilize treatment processes such as filtering or centrifugal separation, rather than a detention and settling volume, must be designed to ensure treatment of 90 percent of the average annual runoff

volume. For the design of these BMPs, the water quality flow rate (WQF) considered equivalent to the Water Quality Volume (WQv) shall be determined utilizing the Rational Method (Equation 4) with an intensity (i) appropriate for the water quality precipitation event. This intensity shall be calculated using the table given in Appendix C.

$$WQF = C * i * A \quad \text{(Equation 4)}$$

Where

WQF = water quality flow rate in cubic feet per second (cfs)
C = rational method runoff coefficient
i = intensity (in/hr)
A = area draining to the BMP (acres)

Alternative post-construction BMPs may include, but are not limited to: vegetated swales, vegetated filter strips, hydrodynamic separators, high-flow media filters, cartridge filters, membrane filters, subsurface flow wetlands, multi-chamber treatment trains, road shoulder media filter drains, wetland channels, rain barrels, green roofs, and rain gardens. The Director may also consider non-structural post-construction approaches.

- 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 or an MS4. 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 washwater, and other washwaters. No detergents may be used to wash vehicles. Washwaters 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. The permittee shall assign "qualified inspection personnel" to conduct 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.h of this permit or whether additional control measures are required. At a minimum, procedures in a SWP3 shall provide that all controls on the site are inspected:

- after any storm event greater than one-half inch of rain per 24-hour period by the end of the next calendar day, excluding weekends and holidays unless work is scheduled; and
- once every seven calendar days.

The inspection frequency may be reduced to at least once every month for dormant sites if:

- the entire site is temporarily stabilized or
- runoff is unlikely due to weather conditions for extended periods of time (e.g., site is covered with snow, ice, or the ground is frozen).

The beginning and ending dates of any reduced inspection frequency shall be documented in the SWP3.

Once a definable area has achieved final stabilization, the area may be marked on the SWP3 and no further inspection requirements shall apply to that portion of the site.

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.h 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 plan 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. A maintenance plan is in place to ensure all post construction BMPs are adequately maintained in the long-term;
 - d. For non-residential developments, 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 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) For residential developments only, temporary stabilization has been completed and the lot, which includes a home, has been transferred to the homeowner; (ii) final stabilization has been completed and the lot, which does not include a home, has been transferred to the property owner; (iii) no stabilization has been implemented on a lot, which includes a home, and the lot has been transferred to the homeowner; or

- e. An exception has been granted under Part III.G.4.

C. How to submit an NOT.

To terminate permit coverage, the permittee shall submit a complete and accurate Notice of Termination (NOT) form using Ohio EPA's electronic application form which is available through the Ohio EPA eBusiness Center at: <https://ebiz.epa.ohio.gov/>. Submission through the Ohio EPA eBusiness Center will require establishing an Ohio EPA eBusiness Center account and obtaining a unique Personal Identification Number (PIN) for final submission of the NOT. Existing eBusiness Center account holders can access the NOT form through their existing account and submit using their existing PIN. Please see the following link for guidance: <http://epa.ohio.gov/dsw/ebs.aspx#170669803-streams-guidance>. Alternatively, if you are unable to access the NOT form through the agency eBusiness Center due to a demonstrated hardship, the NOT may be submitted on paper NOT forms provided by Ohio EPA. NOT information shall be typed on the form. Please contact Ohio EPA, Division of Surface Water at (614) 644-2001 if you wish to receive a paper NOT form.

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. "Bankfull channel" means a channel flowing at channel capacity and conveying the bankfull discharge. Delineated by the highest water level that has been maintained for a sufficient period of time to leave evidence on the landscape, such as the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial or

the point at which the clearly scoured substrate of the stream ends and terrestrial vegetation begins.

- C. "Bankfull discharge" means the streamflow that fills the main channel and just begins to spill onto the floodplain; it is the discharge most effective at moving sediment and forming the channel.
- D. "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.
- E. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.
- F. "Channelized stream" means the definition set forth in Section 6111.01 (M) of the ORC.
- G. "Commencement of construction" means the initial disturbance of soils associated with clearing, grubbing, grading, placement of fill, or excavating activities or other construction activities.
- H. "Concentrated storm water runoff" means any storm water runoff which flows through a drainage pipe, ditch, diversion or other discrete conveyance channel.
- I. "Director" means the director of the Ohio Environmental Protection Agency.
- J. "Discharge" means the addition of any pollutant to the surface waters of the state from a point source.
- K. "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.
- L. "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.
- M. "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.
- N. "General contractor" – for the purposes of this permit, the primary individual or company solely accountable to perform a contract. The general contractor typically supervises activities, coordinates the use of subcontractors, and is authorized to direct workers at a site to carry out activities required by the permit.
- O. "Individual lot NOI" means a Notice of Intent for an individual lot to be covered by this permit (see Part I of this permit).
- P. "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.
- Q. "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.
- R. "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."

- S. “Natural channel design” means an engineering technique that uses knowledge of the natural process of a stream to create a stable stream that will maintain its form and function over time.
- T. “NOI” means notice of intent to be covered by this permit.
- U. “NOT” means notice of termination.
- V. “Operator” means any party associated with a construction project that meets either of the following two criteria:
1. The party has day-to-day operational control of all activities at a project which are necessary to ensure compliance with a SWP3 for the site and all permit conditions including the ability to authorize modifications to the SWP3, construction plans and site specification to ensure compliance with the General Permit, or
 2. Property owner meets the definition of operator should the party which has day to day operational control require additional authorization from the owner for modifications to the SWP3, construction plans, and/or site specification to ensure compliance with the permit or refuses to accept all responsibilities as listed above (Part VII.V.1).
- Subcontractors generally are not considered operators for the purposes of this permit. 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.
- W. “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.
- X. “Owner or operator” means the owner or operator of any “facility or activity” subject to regulation under the NPDES program.
- Y. “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.
- Z. “Percent imperviousness” means the impervious area created divided by the total area of the project site.
- AA. “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.

- BB. "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.
- CC. "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.
- DD. "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.
- EE. "Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.
- FF. "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.
- GG. "State isolated wetland permit requirements" means the requirements set forth in Sections 6111.02 through 6111.029 of the ORC.
- HH. "Storm water" means storm water runoff, snow melt and surface runoff and drainage.
- II. "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.
- JJ. "Stream edge" means the ordinary high water mark.
- KK. "Subcontractor" – for the purposes of this permit, an individual or company that takes a portion of a contract from the general contractor or from another subcontractor.
- LL. "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.
- MM. "SWP3" means storm water pollution prevention plan.
- NN. "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.

- OO. “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.
- PP. “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.

Appendix A
Big Darby Creek Watershed

CONTENTS OF THIS APPENDIX

- A.1 Permit Area
- A.2 TMDL Conditions
- A.3 Sediment Settling Ponds and Sampling
- A.4 Riparian Setback Requirements
- A.5 Riparian Setback Mitigation
- A.6 Groundwater Recharge Requirements
- A.7 Groundwater Recharge mitigation

Attachment A-A: Big Darby Creek Watershed Map

Attachment A-B: Stream Assessment and Restoration

A.1 Permit Area.

This appendix to Permit OHC00005 applies to the entire Big Darby Creek Watershed located within the State of Ohio. Please see Attachment A for permit area boundaries.

A.2 TMDL Conditions.

This general permit requires control measures/BMPs for construction sites that reflect recommendations set forth in the U.S. EPA approved Big Darby Creek TMDL.

A.3 Sediment Settling Ponds and Sampling

Sediment settling ponds additional conditions. The sediment settling pond shall be sized to provide a minimum sediment storage volume of 134 cubic yards of effective sediment storage per acre of drainage and maintain a target discharge performance standard of 45 mg/l Total Suspended Solids (TSS) up to a 0.75-inch rainfall event within a 24-hour period. Unless infeasible, sediment settling ponds must be dewatered at the pond surface using a skimmer or equivalent device. The depth of the sediment settling pond must be less than or equal to five feet. Sediment must be removed from the sediment settling pond when the design capacity has been reduced by 40 percent (This is typically reached when sediment occupies one-half of the basin depth).

Silt Fence and Diversions. For sites five or more acres in size, the use of sediment barriers as a primary sediment control is prohibited. Centralized sediment basins shall be used for sites 5 or more acres in size. Diversions shall direct all storm water runoff from the disturbed areas to the impoundment intended for sediment control. The sediment basins and associated diversions shall be implemented prior to the major earth disturbing activity.

The permittee shall sample in accordance with sampling procedures outlined in 40 CFR 136. Sampling shall occur as follows:

- i. Occur at the outfall of each sediment settling pond associated with the site. Each associated outfall shall be identified by a three-digit number (001, 002, etc.);
- ii. The applicable rainfall event for sampling to occur shall be a rainfall event of 0.25-inch to a 0.75-inch rainfall event to occur within a 24-hour period. Grab sampling shall be initiated at a site within 14 days, or the first applicable rainfall event thereafter, once upslope disturbance of each sampling location is initiated and shall continue on a quarterly basis. Quarterly periods shall be represented as January - March, April - June, July - September and October - December. Sampling results shall be retained on site and available for inspection.

If any sample is greater than the performance standard of 45 mg/l TSS, the permittee shall modify the SWP3 and install/implement new control practice(s) within 10 days to ensure the TSS performance standard is maintained. Within 3 days of improvement(s), or the first applicable rainfall event thereafter, the permittee shall resample to ensure SWP3 modifications maintain the TSS performance standard target.

For each sample taken, the permittee shall record the following information:

- the outfall and date of sampling;
- the person(s) who performed the sampling;
- the date the analyses were performed on those samples;
- the person(s) who performed the analyses;
- the analytical techniques or methods used; and
- the results of all analyses.

Both quarterly and sampling results following a discharge target exceedance shall be retained on site and available for inspection.

A.4 Riparian Setback Requirements.

The SWP3 shall clearly delineate the boundary of required stream setback distances. No construction activity shall occur, without appropriate mitigation, within the delineated setback boundary except activities associated with restoration or recovery of natural floodplain and channel form characteristics as described in Attachment B, storm water conveyances from permanent treatment practices and approvable utility crossings. Such conveyances must be designed to minimize the width of disturbance. If intrusion within the delineated setback boundary is necessary to accomplish the purposes of a project, then mitigation shall be required in accordance with Appendix A.5 of this permit. Streams requiring protection under this section are defined as perennial, intermittent or ephemeral streams with a defined bed, bank or channel. National Resources Conservation Service (NRCS) soil survey maps should be used as one reference and the presence of a stream requiring protection should also be confirmed in the field. Any required setback distances shall be clearly displayed in the field prior to any construction related activity.

Riparian setbacks distance shall be delineated based upon one of the following two methods:

- i. The setback distance shall be sized as the greater of the following:

1. The regulatory 100-year floodplain based on FEMA mapping;
2. A minimum of 100 feet from the top of the streambank on each side; or
3. A distance calculated using the following equation:

$$W = 133DA^{0.43} \quad \text{(Equation 1, Appendix A)}$$

where:

DA = drainage area (mi²)

W = total width of riparian setback (ft)

W shall be centered over the meander pattern of the stream such that a line representing the setback width would evenly intersect equal elevation lines on either side of the stream.

If the DA remains relatively constant throughout the stretch of interest, then the DA of the downstream edge of the stretch should be used. Where there is a significant increase in the DA from the upstream edge to the downstream edge of the area of interest, the setback width shall increase accordingly.

- ii. **Stream Restoration with 100 feet (each side) Riparian Setback.** Each stream segment within the proposed site boundaries can be assessed in accordance with Attachment B, Part 1. In the event the stream segment is classified as a "Previously Modified Low Gradient Headwater Stream", the permittee has the option to restore the stream segment in accordance with Attachment B and include a 100-foot water quality setback distance from the top of the streambank on each side. In the event the stream segment exceeds the minimum criteria in Attachment B to be classified as a "Previously Modified Low Gradient Headwater Stream," this Appendix A, Attachment B may be considered on a case-by-case basis.

No structural sediment controls (e.g., the installation of sediment barriers or a sediment settling pond) or structural post-construction controls shall be used in a surface water of the State or the delineated setback corridor.

Previously developed projects (as defined in Part III.G.2.e.) located within the delineated setback boundary are exempt from Riparian Setback Mitigation (A.5) provided the proposed project does not further intrude into the delineated setback boundary.

Linear transportation projects which are caused solely by correcting safety related issues, mandates of modern design requirements and/or resulting from other mitigation activities are exempt from Riparian Setback Mitigation (Appendix A, A.5) if less than one acre of total new right-of-way is associated with the project.

A.5 Riparian Setback Mitigation.

The mitigation required for intrusion into the riparian setback shall be determined by the horizontal distance the intrusion is from the stream. Up to three zones will be used in determining the required mitigation. Zone 1 extends from 0 to 25 feet from the stream edge. Zone 2 extends from 25 to 100 feet from the stream edge, and Zone 3 extends from 100 feet to the outer edge of the setback corridor. Intrusion into these zones will require the following mitigation within the same Watershed Assessment Unit (12-digit HUC scale):

- i. Four times the total area disturbed in the stream and within Zone 1 of the site being developed shall be mitigated within Zone 1 of the mitigation location.
- ii. Three times the area disturbed within Zone 2 of the site being developed shall be mitigated within Zones 1 and/or 2 of the mitigation location.
- iii. Two times the area disturbed within Zone 3 of the site being developed shall be mitigated within any zone of the mitigation location.

In lieu of mitigation ratios found within in this section, linear transportation projects which result in total new right-of-way greater than one acre and less than two acres, which are caused solely by correcting safety related issues, mandates of modern design requirements and/or resulting from other mitigation activities, shall provide Riparian Setback Mitigation at a ratio of 1.5 to 1.

All mitigation shall, at a minimum, include conserved or restored setback zone and should be designed to maximize the ecological function of the mitigation. Including mitigation at the stream edge along with associated setback areas is one way to maximize ecological function. Mitigation shall be protected in perpetuity by binding conservation easements or environmental covenants which must be recorded within 6 months of receiving permit authorization. Granting of binding conservation easements or environmental covenants protected in perpetuity for land outside of disturbed area but within a required riparian setback counts towards required mitigation.

Mitigation may also be satisfied by approved pooled mitigation areas and in-lieu fee sponsored mitigation areas. Mitigation resulting from State or Federal environmental regulations may be adjusted in recognition of these requirements.

A.6 Groundwater Recharge Requirements.

The SWP3 shall ensure that the overall site post-development groundwater recharge equals or exceeds the pre-development groundwater recharge. The SWP3 shall describe the conservation development strategies, BMPs and other practices deemed necessary by the permittee to maintain or improve pre-development rates of groundwater recharge. Pre-development and post-development groundwater recharge shall be calculated using the following equation:

i. $V_{re_x} = A_x * Dre_x / 12$ (Equation 2, Appendix A)

where:

X = represents a land use and hydrologic soil group pair

V_{re_x} = volume of total annual recharge from land use-soil group X
(in acre-ft)

Dre_x = depth of total annual recharge associated with land use-soil
group X from Tables 1 or 2 (in inches)

A_x = area of land use-soil group X (in acres)

Table A-1 values should be used for land where the underlying geology indicates a potential for downward migration of groundwater. Table A-1 values represent the combined total groundwater recharge potential including groundwater contribution to stream baseflow and to the underlying bedrock aquifer. The potential for downward migration can be determined from a comparison of the potentiometric maps for the glacial and bedrock aquifers. Use Table A-2 when this potential is unlikely to exist. Detailed potentiometric maps for the Franklin county portion of the Darby watershed, and coarse potentiometric maps for the Darby watershed outside of Franklin County and hydrologic soil group data are available at:

http://www.epa.state.oh.us/dsw/permits/GP_ConstructionSiteStormWater_Darby.aspx.

Table A-1 (Appendix A) Annual Average Expected Total Groundwater Recharge³

Land Use	Density (DU ¹ /acre)	% Impervious	Recharge (inches) by Hydrologic Soil Group ²			
			A	B	C	D
Woods / Forest	-	-	17.0	16.6	15.6	14.6
Brush	-	-	17.0	16.6	15.6	14.6
Meadow	-	-	17.0	16.5	15.4	14.4
Managed Wood	-	-	16.9	16.0	14.7	13.4
Pasture	-	-	16.5	15.9	14.4	13.0
Row Crop	-	-	15.8	14.2	11.9	8.1
Urban Grasses	-	-	15.7	15.7	14.2	12.7
Low Density Residential	0.5	12%	15.7	15.7	14.2	12.7
Low Density Residential	1	20%	14.8	14.8	13.7	12.2
Medium Density Residential	2	25%	11.5	11.5	11.5	11.5
Medium Density Residential	3	30%	11.2	11.2	11.2	11.2
Medium Density Residential	4	38%	9.6	9.6	9.6	9.6
High Density Residential	≥5	65%	7.3	7.3	7.3	7.3
Commercial & Road Right-of-Way ⁴	-	90%	4.3	4.3	4.3	4.3

¹ DU = Dwelling Units

² Hydrologic soil group designations of A/D, B/D, and C/D should be considered as D soils for this application.

³ These values apply when recharge of the aquifer is expected; recharge to the bedrock aquifer can be expected when the potentiometric head of the glacial aquifer is greater than the bedrock aquifer.

⁴ The 4.3 infiltration value may only be used for an area as a whole (includes impervious and pervious areas) which includes a minimum of 10 percent pervious area. If all land uses (pervious and impervious) are tabulated separately, then impervious areas have 0 inches of recharge.

Table A-2 (Appendix A) Annual Average Expected Baseflow Recharge³

Land Use	Density (DU ¹ /acre)	% Impervious	Recharge (inches) by Hydrologic Soil Group ²			
			A	B	C	D
Woods / Forest	-	-	11.8	11.4	10.7	9.9
Brush	-	-	11.7	11.4	10.7	9.9
Meadow	-	-	11.8	11.3	10.6	9.8
Managed Wood	-	-	11.7	11.0	10.0	9.1
Pasture	-	-	11.3	11.0	9.9	8.9
Row Crop	-	-	11.1	10.1	9.0	6.2
Urban Grasses	-	-	11.2	11.2	10.3	9.3
Low Density Residential	0.5	12%	11.2	11.2	10.3	9.3
Low Density Residential	1	20%	9.5	9.5	9.0	8.6
Medium Density Residential	2	25%	7.8	7.8	7.8	7.8
Medium Density Residential	3	30%	7.6	7.6	7.6	7.6
Medium Density Residential	4	38%	6.5	6.5	6.5	6.5
High Density Residential	≥5	65%	5.0	5.0	5.0	5.0
Commercial & Road Right-of-Way ⁴	-	90%	2.9	2.9	2.9	2.9

¹ DU = Dwelling Units

² Hydrologic soil group designations of A/D, B/D, and C/D should be considered as D soils for this application.

³ These values apply when no recharge of the aquifer is expected.

⁴ The 2.9 infiltration value may only be used for an area as a whole (includes impervious and pervious areas) which includes a minimum of 10 percent pervious area. If all land uses (pervious and impervious) are tabulated separately, then impervious areas have 0 inches of recharge.

Table A-3 (Appendix A) Land Use Definitions

Land Use	Definition
Woods / Forest	Areas dominated by trees. Woods are protected from grazing and litter and brush adequately cover the soil.
Brush	Brush, weeds, grass mixture where brush is the major element and more than 75% of the ground is covered.
Meadow	Continuous grass, protected from grazing, generally mowed for hay.
Managed Wood	Orchards, tree farms, and other areas planted or maintained for the production of fruits, nuts, berries, or ornamentals.
Pasture	Pasture, grassland, or range where at least 50% of the ground is covered and the area is not heavily grazed.
Row Crop	Areas used to produce crops, such as corn, soybeans, vegetables, tobacco, and cotton.
Urban Grasses	Vegetation (primarily grasses) planted in developed settings for recreation, erosion control, or aesthetic purposes. Examples include parks, lawns, golf courses, airport grasses, and industrial site grasses.
Residential	Areas with a mixture of constructed materials and vegetation; the average % imperviousness and number of dwelling units per acre to determine the appropriate density is specified.
Commercial	Includes infrastructure (e.g. roads, railroads, etc.) and all highly developed areas not classified as High Intensity Residential.

- ii. The pre-development ground water recharge volume shall be calculated by determining the area of each land use-soil type pairing on the site of interest. The recharge associated with each such pairing multiplied by the area will give the pre-development volume of total groundwater

recharge. The same shall be done for the post-development land use-soil type pairings.

Any activity that is expected to produce storm water runoff with elevated concentrations of carcinogens, hydrocarbons, metals, or toxics is prohibited from infiltrating untreated storm water from the area affected by the activity. The groundwater recharge mitigation requirement for areas affected by such activities must be met by methods which do not present a risk of groundwater contamination. The following land uses and activities are typically deemed storm water hotspots:

Vehicle salvage yards and recycling facilities

- vehicle service and maintenance facilities (i.e. truck stops, gas stations)
- fleet storage areas (i.e. bus, truck)
- industrial sites subject to industrial storm water permitting requirements
- bulk terminals
- marinas
- facilities that generate or store hazardous materials
- other land uses and activities as designated by individual review

The following land uses and activities are not normally considered hotspots:

- residential streets and rural highways
- residential development
- institutional development
- commercial and office developments
- non-industrial rooftops
- pervious areas, except golf courses and nurseries

The applicant may use structural BMPs within drinking water source protection areas for community public water systems only to the extent that the structural BMP(s) does not cause contaminants in the recharge waters to impact the ground water quality at levels that would cause an exceedance of the drinking water Maximum Contaminant Levels (OAC Section 3745-81 and 3745-82). To obtain a map of drinking water source protection areas for community public water systems contact Ohio EPA's Division of Drinking and Ground Waters at (614) 644-2752.

Linear transportation projects which are caused solely by correcting safety related issues, mandates of modern design requirements and/or resulting from other mitigation activities are exempt from Groundwater Recharge Mitigation (Appendix B, A.7) if less than one acre of total new right-of-way is associated with the project.

Protection of open space (infiltration areas) shall be by binding conservation easements that identify a third-party management agency, such as a homeowners' association/condominium association, political jurisdiction or third-party land trust.

A.7 Groundwater Recharge Mitigation.

If the post-development recharge volume is less than the pre-development recharge volume, then mitigation will be required. Two options are available for most applications:

- i. The preferred method is to convert additional land to land use with higher recharge potential. The difference in groundwater recharge between the existing and converted land use recharge is the amount which can be used as recharge credit. Off-site Groundwater Recharge Mitigation shall occur within the same Watershed Assessment Unit (12-digit HUC scale) as the permitted site and preferably up-gradient and within a 2-mile radius.

Mitigation shall be protected in perpetuity by binding conservation easements or environmental covenants which must be recorded within 6 months of receiving permit authorization. Granting of binding conservation easements or environmental covenants protected in perpetuity for land outside of the disturbed area, but within a required riparian setback counts towards required mitigation.

Mitigation may also be satisfied by approved pooled mitigation areas and in-lieu fee sponsored mitigation areas.

- ii. On-site structural and non-structural practices may also be used to achieve groundwater mitigation requirements by retaining and infiltrating on-site a minimum volume of storm water runoff based on the area and hydrologic soil groups of disturbed soils. If these infiltrating practices are incorporated upstream of the water quality volume treatment practice, the volume of groundwater being infiltrated may be subtracted from the water quality volume for the purpose of meeting post-construction requirements. The on-site retention requirement is determined by the following formula:

$$V_{\text{retention}} = A_{\text{HSG-A}} * 0.90 \text{ in} + A_{\text{HSG-B}} * 0.75 \text{ in} + A_{\text{HSG-C}} * 0.50 \text{ in} + A_{\text{HSG-D}} * 0.25 \text{ in}$$

(Equation 3, Appendix A)

Where,

$V_{\text{retention}}$ = volume of runoff retained onsite using an approved infiltration practice

$A_{\text{HSG-x}}$ = area of each hydrologic soil group within the disturbed area

Table A-4: Hydrologic Soil Groups and On-site Retention Depth per Acre

Hydrologic Soil Group	HSG A	HSG B	HSG C	HSG D
Retention Depth (inches)	0.90	0.75	0.50	0.25

Retention volume ($V_{\text{retention}}$) provided by selected practices shall be determined using the runoff reduction method criteria as outlined in Part III.G.2.e, Ohio EPA's Runoff Reduction spreadsheet and supporting documentation in the Rainwater and Land Development manual. Hydrologic soil group (HSG) areas are to be determined by using the current version of SURRGO or Web Soil Survey soils information.

Appendix A Attachment A: Big Darby Creek Watershed



A more detailed map can be viewed at:

http://www.epa.state.oh.us/dsw/permits/GP_ConstructionSiteStormWater_Darby.aspx

Appendix A Attachment B

Part 1 Stream Assessment

This assessment will determine if a stream is considered a previously channelized, low-gradient headwater stream (a drainage ditch) which would be applicable for stream restoration in lieu of protecting a setback as per Appendix A. A.4.i and ii.

In the event the assessment of the stream, meets all the criteria listed below, restoration (provided 401/404 permits are authorized) as depicted in Part 2 of this attachment, may be a means of reducing the setback distance required by A.4.i. (Appendix A).

Previously Channelized Low-Gradient Headwater Streams (drainage ditches) shall for the purposes of this permit be defined as having all of the following characteristics:

- Less than 10 square miles of drainage area
- Low gradient and low stream power such that despite their straightened and entrenched condition incision (down-cutting) is not evident
- Entrenched, entrenchment ratio < 2.2
- Straight, sinuosity of the bankfull channel < 1.02

Part 2 Restoration

Restoration shall be accomplished by any natural channel design approach that will lead to a self-maintaining reach able to provide both local habitat and watershed services (e.g. self-purification and valley floodwater storage).

- a. Construction of a floodplain, channel and habitat via natural channel design;
- b. Floodplain excavation necessary to promote interaction between stream and floodplain;
- c. Include a water quality setback of 100 feet from top of the streambank on each side.

The primary target regardless of design approach shall be the frequently flooded width, which shall be maximized, at 10 times the channel's self-forming width. Five times the self-forming channel width may still be acceptable particularly on portions of the site if greater widths are achieved elsewhere.

Appendix B Olentangy River Watershed

CONTENTS OF THIS APPENDIX

- B.1 Permit Area
- B.2 TMDL Conditions
- B.3 Riparian Setback Requirements
- B.4 Riparian Setback Mitigation

Attachment B-A: Area of Applicability for the Olentangy Watershed (Map)

Attachment B-B: Stream Assessment and Restoration

B.1 Permit Area.

This appendix to Permit OHC00005 applies to specific portions of the Olentangy River Watershed located within the State of Ohio. The permit area includes the following 12-digit Hydrologic Unit Codes (HUC-12) within the Olentangy River Watershed:

12-Digit Hydrologic Unit Codes

12-Digit Hydrologic Unit Codes (HUC)	Narrative Description of Sub-Watershed
05060001 09 01	Shaw Creek
05060001 09 02	Headwaters Whetstone Creek
05060001 09 03	Claypool Run-Whetstone Creek
05060001 10 07	Delaware Run-Olentangy River
05060001 11 01	Deep Run-Olentangy River
05060001 11 02 (Only portion as depicted in Attachment A)	Rush Run-Olentangy River

Please see Attachment A (Appendix B) for permit area boundaries. An electronic version of Attachment A can be viewed at

http://epa.ohio.gov/dsw/permits/GP_ConstructionSiteStormWater_Olentangy.aspx

B.2 TMDL Conditions.

This general permit requires control measures/BMPs for construction sites that reflect recommendations set forth in the U.S. EPA approved Olentangy TMDL.

B.3 Riparian Setback Requirements.

The permittee shall comply with the riparian setback requirements of this permit or alternative riparian setback requirements established by a regulated MS4 and approved by Ohio EPA. The SWP3 shall clearly delineate the boundary of required stream setback distances. The stream setback shall consist of a streamside buffer and an outer buffer. No construction activity shall occur, without appropriate mitigation, within the streamside buffer except activities associated with storm water conveyances from permanent treatment practices, approvable utility crossings and restoration or recovery of floodplain and channel form characteristics as described in Attachment B. Storm water conveyances must be designed to minimize the width of disturbance.

Construction activities requiring mitigation for intrusions within the outer buffer for the Olentangy River mainstem and perennial streams are described in Appendix B.4.

If intrusion within the delineated setback boundary is necessary to accomplish the purposes of a project, then mitigation shall be required in accordance with Appendix B.3. of this permit. Streams requiring protection under this section have a defined bed and bank or channel and are defined as follows:

- The Olentangy River mainstem;
- Perennial streams have continuous flow on either the surface of the stream bed or under the surface of the stream bed;
- Intermittent streams flow for extended periods of time seasonally of a typical climate year; and
- Ephemeral streams are normally dry and only flow during and after precipitation runoff (episodic flow).

National Resources Conservation Service (NRCS) soil survey maps should be used as one reference and the presence of a stream requiring protection should also be confirmed in the field. Any required setback distances shall be clearly displayed in the field prior to any construction related activity.

Riparian setbacks shall be delineated based upon one of the following two methods:

- i. The required setback distances shall vary with stream type as follows:
 - a. The setback distances associated with the mainstem of the Olentangy River shall consist of:
 - (1) A streamside buffer width of 100 feet as measured horizontally from the ordinary high water mark per side; and
 - (2) An outer buffer width sized to the regulatory 100-year floodplain based on FEMA mapping. No impervious surfaces shall be constructed without appropriate mitigation and moderate to substantial fill activities with no impervious surface may require appropriate mitigation pending an individual approval by Ohio EPA.
 - b. The setback distance associated with perennial streams, other than the Olentangy mainstem, shall consist of:
 - (1) A streamside buffer width of 80 feet per side measured horizontally from the ordinary high water mark; and
 - (2) An outer buffer width sized to the regulatory 100-year floodplain based on FEMA mapping. In the event the regulatory 100-year floodplain is not established, the outer buffer width shall be calculated using the following equation and measured horizontally from the ordinary high water mark. No impervious surfaces, structure, fill, or activity that would impair the floodplain or stream stabilizing ability of the outer buffer shall occur without appropriate mitigation:

$$W = 143DA^{0.41} \quad (\text{Equation 1 Appendix B})$$

where:

DA = drainage area (mi²)

W = total width of riparian setback (ft)

W shall be centered over the meander pattern of the stream such that a line representing the setback width would evenly intersect equal elevation lines on either side of the stream.

If the DA remains relatively constant throughout the stretch of interest, then the DA of the downstream edge of the stretch should be used. Where there is a significant increase in the DA from the upstream edge to the downstream edge of the area of interest, the setback width shall increase accordingly.

c. The setback distance associated with intermittent streams and ephemeral streams shall be a streamside buffer width of 30 feet per side measured horizontally from the centerline of the stream. No outer buffer is required for intermittent and ephemeral streams.

- ii. Stream Restoration with 100 feet (each side) Riparian Setback. Each stream segment within the proposed site boundaries can be assessed in accordance with Attachment B. In the event the stream segment is classified as a "Previously Modified Low Gradient Headwater Stream", the permittee has the option to restore the stream segment in accordance with Attachment B and include a 100 feet water quality setback distance from the top of the streambank on each side. In the event the stream segment exceeds the minimum criteria in Attachment B to be classified as a "Previously Modified Low Gradient Headwater Stream", this may be considered on a case-by-case basis.

No structural sediment controls (e.g., the installation of sediment barriers or a sediment settling pond) or structural post-construction controls shall be used in a stream or the streamside buffer. Activities and controls that would not impair the floodplain or stream stabilizing ability of the outer buffer can be considered.

Redevelopment projects (i.e., developments on previously developed property) located within the delineated setback boundary is exempt from Riparian Setback Mitigation (B.3) provided the proposed project does not further intrude the delineated setback boundary.

B.4 Riparian Setback Mitigation.

The mitigation required for intrusion into the riparian setback of the **Olentangy River mainstem or perennial streams** shall be determined by the horizontal distance the intrusion is from the stream. Up to three zones will be used in determining the required mitigation. Zone 1 extends from 0 to 30 feet from the stream edge. Zone 2 extends

from 30 feet to the outer edge of the streamside buffer. Zone 3 extends from the outer edge of the streamside buffer to the outer edge of the outer buffer. Intrusion into these zones will require the following mitigation within the same Watershed Assessment Unit (12-digit HUC scale). Alternative mitigation, within the permit area, may be considered on a case-by-case basis:

1. Four (4) times the total area disturbed in the stream within Zone 1 of the site being developed shall be mitigated; or, two (2) times the total area disturbed in the stream within Zone 1 shall be mitigated within the watershed of the immediate receiving stream, and the entire required setback of the site shall be protected by binding conservation easements or environmental covenants.
2. Three (3) times the area disturbed within Zone 2 of the site being developed shall be mitigated within Zones 1 and/or 2 of the mitigation location; or, one and one-half (1.5) times the total area disturbed within Zone 2 shall be mitigated within the watershed of the immediate receiving stream, and the entire required setback of the site shall be protected in perpetuity by binding conservation easements or environmental covenants.
3. Two (2) times the area to be mitigated within Zone 3 of the site being developed shall be mitigated within any Zone of the mitigation location; or, one (1) times the total area to be mitigated within any zone shall be mitigated within the watershed of the immediate receiving stream, and the entire required setback of the site shall be protected in perpetuity by binding conservation easements or environmental covenants.

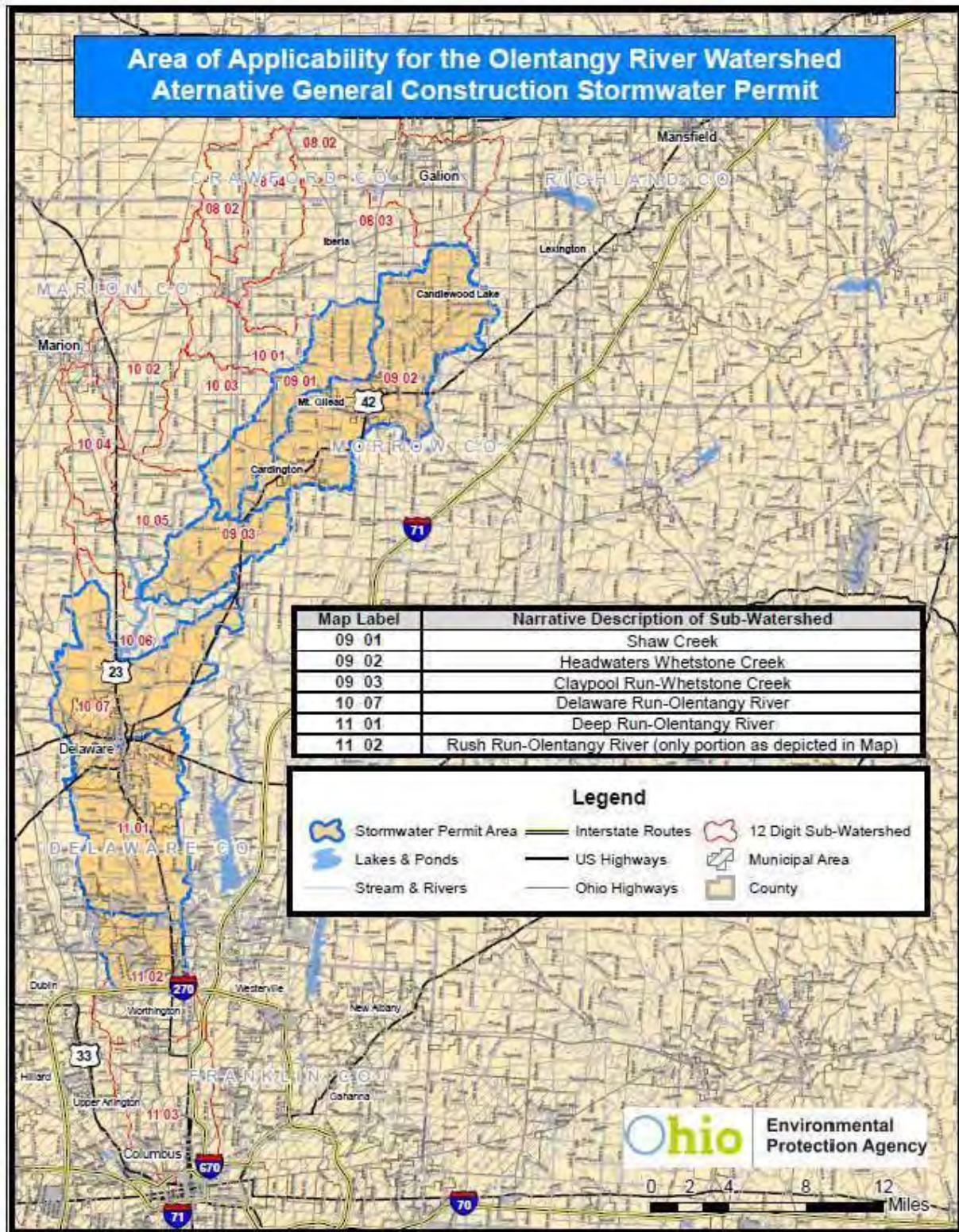
The mitigation required for intrusion into the riparian setback of an **intermittent stream** shall be four (4) times the total area disturbed within the riparian setback of the site being developed shall be mitigated; or two (2) times the total area disturbed within the riparian setback shall be mitigated within the watershed of the immediate receiving stream, and the entire required setback of the site shall be protected in perpetuity by binding conservation easements or environmental covenants.

The mitigation required for intrusion into the streamside buffer of an **ephemeral stream** shall be two (2) times the total area disturbed within the riparian setback of the site being developed shall be mitigated; or one (1) times the total area disturbed within the riparian setback shall be mitigated within the watershed of the immediate receiving stream, and the entire required setback of the site shall be protected in perpetuity by binding conservation easements or environmental covenants.

All mitigation shall, at a minimum, include conserved or restored setback zone, and should be designed to maximize the ecological function of the mitigation. Including mitigation at the stream edge along with associated setback areas is one way to maximize ecological function. Mitigation shall be protected in perpetuity by binding conservation easements or environmental covenants which must be recorded within 6 months of permit authorization. Granting of binding conservation easements or environmental covenants protected for land outside of disturbed area, but within a required riparian setback counts towards required mitigation.

Mitigation may also be satisfied by approved pooled mitigation areas and in-lieu fee sponsored mitigation areas. Mitigation resulting from State or Federal environmental regulations may be adjusted in recognition of these requirements.

Appendix B Attachment A Applicable Portions of the Olentangy Watershed



A more detailed map can be viewed at:
http://epa.ohio.gov/dsw/permits/GP_ConstructionSiteStormWater_Olentangy.aspx

Appendix B Attachment B

Part 1 Stream Assessment

This assessment will determine if a stream is considered a previously channelized, low-gradient headwater stream (a drainage ditch) which would be applicable for stream restoration in lieu of protecting an outer 'no build' setback as per Appendix B B.2i. and ii.

In the event the assessment of the stream meets all the criteria listed below, restoration as depicted in Part 2 of this attachment or natural channel design could be performed, provided 401/404 permits are authorized, and may be a means of reducing the setback distance required by B.2.i. (Appendix B).

Previously Modified, Low-Gradient Headwater Streams shall, for the purposes of this permit, be defined as having all of the following characteristics:

- Less than 10 square miles of drainage area;
- Low gradient and low stream power such that incision (down-cutting) is not evident;
- Entrenched such that the ratio of the frequently flooded width to the bankfull width is less than 2.2; and
- Straight with little or no sinuosity present such that the ratio of the bankfull channel length to the straight-line distance between two points is less than 1.02.

Part 2 Restoration

Restoration shall be accomplished by any natural channel design approach that will lead to a self-maintaining reach able to provide both local habitat and watershed services (e.g. self-purification and valley floodwater storage).

- a. Construction of a floodplain, channel and habitat via natural channel design;
- b. Floodplain excavation necessary to promote interaction between stream and floodplain;
- c. Include a water quality setback of 100 feet from top of the streambank on each side.

The primary target shall be a frequently flooded width of 10 times the channel's self-forming width. Five times the self-forming channel width may be acceptable if sufficient elements of natural channel design are included in the restoration project.

Appendix C Rainfall Intensity for Calculation of Water Quality Flow (WQF)


DURATION t_c (minutes)	WATER QUALITY INTENSITY [i_{wq}] (inches/hour)	DURATION t_c (minutes)	WATER QUALITY INTENSITY [i_{wq}] (inches/hour)
5	2.37	33	0.95
6	2.26	34	0.93
7	2.15	35	0.92
8	2.04	36	0.90
9	1.94	37	0.88
10	1.85	38	0.86
11	1.76	39	0.85
12	1.68	40	0.83
13	1.62	41	0.82
14	1.56	42	0.80
15	1.51	43	0.78
16	1.46	44	0.77
17	1.41	45	0.76
18	1.37	46	0.75
19	1.33	47	0.74
20	1.29	48	0.73
21	1.26	49	0.72
22	1.22	50	0.71
23	1.19	51	0.69
24	1.16	52	0.68
25	1.13	53	0.67
26	1.10	54	0.66
27	1.07	55	0.66
28	1.05	56	0.65
29	1.03	57	0.64
30	1.01	58	0.64
31	0.99	59	0.63
32	0.97	60	0.62

Note: For $t_c < 5$ minutes, use $i = 2.37$ in/hr; for $t_c > 60$ minutes, use $i = 0.62$ in/hr. For all other t_c , use the appropriate value from this table.

APPENDIX 2

Project Location Map, Soil Erosion and Sediment Control Plan, USDA Soils Map, Watershed (HUC-12) Map, and ODNR Rainwater and Land Development Manual Details

Access Road Notes:



- 1) Access roads are symbolized according to their material composition (see legend at bottom left).
- 2) The constructed width of each access road is site specific and indicated on the map sheet label corresponding to each access road. For example, D-15'-G where D = the existing roadway material (Dirt), 15' = the constructed width of the access road, and G = the roadway material to be installed (Gravel). See access road labeling on this page.
- 3) In areas of access road turns greater than 90 degrees – a wider roadway might be needed at that point (approximately 60' – 70' in width).
- 4) Standard depth of cover material: 6" of #2 stone and 3-4" of #304 as requested by TCR Supervisor.
- 5)  denotes locations where access roads change from one material to another

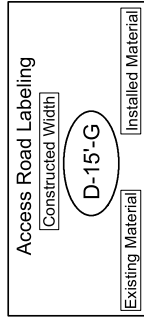
Contacts:

TCR: Scott McManus (740) 277-8669; samcmanus@aep.com
REC: Vaughn Kaufman (740) 601-4068; vkkaufmann@aep.com

General Notes:

- 1) No new laydown, marshalling yard, equipment storage area, timber storage area, or any other ground disturbance is permitted unless shown on this Plan.
- 2) Provide any proposed laydown, marshalling yard, or other ground disturbance to the TCR and AEP Environmental Specialist (See Cover for Name/Number), if not shown on this Plan.
- 3) Provide any access road modification or additions to the TCR or AEP Environmental Specialist (See Cover for Name/Number), if not shown on this Plan.
- 4) Work completed within 100 feet of cemeteries or burials should be considered sensitive. Contact the responsible AEP Environmental Specialist (See Cover for Name/Number) before proceeding with any work.
- 5) Discovery during construction of any human or unidentified artifacts or other unknown objects that are unearthed or otherwise discovered requires construction to cease and immediate notification to the responsible AEP Environmental Specialist (See Cover for Name/Number).
- 6) Any modifications or additions must be added to this Plan, field checked, and permits updated as needed prior to construction.
- 7) Equipment access to wetlands is not allowed unless on a permitted access road crossing with timber mats. Parking equipment on timber mats overnight within a wetland is strictly prohibited.
- 8) Contractor is responsible for determining whether matting used for stream/wetland crossings is adequate to safely support weight of construction equipment ahead of use.
- 9) Orange Barrier Fence (OBF) shall be installed along streams and wetlands to provide a visual boundary and assist the Contractor in avoiding impacts. If an OBF is being installed to avoid disturbance to a stream/wetland, then a sign shall be installed that states, "STOP, Wetland Area, DO NOT DISTURB or cross with equipment."
- 10) Unless otherwise shown, do not place silt fence, filter sock or OBF within sensitive areas (e.g. Wetland or Stream).
- 11) Where feasible, provide and maintain a 50-foot undisturbed natural buffer around streams and wetlands. If this is not feasible, stabilization measures shall be employed within two days of construction completion or within two days of the most recent disturbance if the area will remain idle for more than 14 days.
- 12) No mechanized clearing or grubbing is permitted in stream/wetland areas. If clearing is needed, then only hand clearing is allowed.
- 13) The stockpiling of soil, mulch, aggregate or other similar materials shall be completely surrounded by filter sock and, if needed, temporarily seeded in accordance with the stabilization requirements included in the Plan. Any stockpiled material that is not used during the project shall be removed from the site, unless otherwise directed by AEP.
- 14) Spills of hazardous substances such as oil, diesel fuel, hydraulic fluid, antifreeze or other objectionable hazardous substances that are of a quantity, type, duration and in a location as to damage the waters of the state, shall be immediately reported to AEP.
- 15) The Contractor is responsible for any existing culverts that are damaged by their activities, and the Contractor is responsible for determining whether an existing culvert crossing will support the weight of their construction equipment. The Contractor may mat such crossings to prevent damaging existing culverts. Culvert installation or replacement shall not be implemented without prior approval from the TCR and AEP Environmental Specialist (See Cover for Name/Number).
- 16) For rebuilds and retirement projects that include the removal of wood poles treated with creosote, all such poles must be physically removed from the right-of-way and properly disposed of in accordance with all applicable laws and regulations unless the poles will be given to the landowner for reuse. Cut or otherwise removed creosote treated poles contain hazardous constituents and may not be left in place or disposed of with other clean wood waste.
- 17) The conditions and restrictions shown on these plans are a part of the approved permits and must be strictly followed.

Type of Access Road	Existing Roadway Material	Roadway Material to be Installed	Line Symbol
Existing Access Road	Asphalt, Gravel	Asphalt, Gravel	
New Access Road	Dirt	Gravel	
Timber Mat Access Road	Dirt	Timber Mat	





Athens County, Ohio
Coordinate System: State Plane Ohio South NAD 1983
October 12, 2022

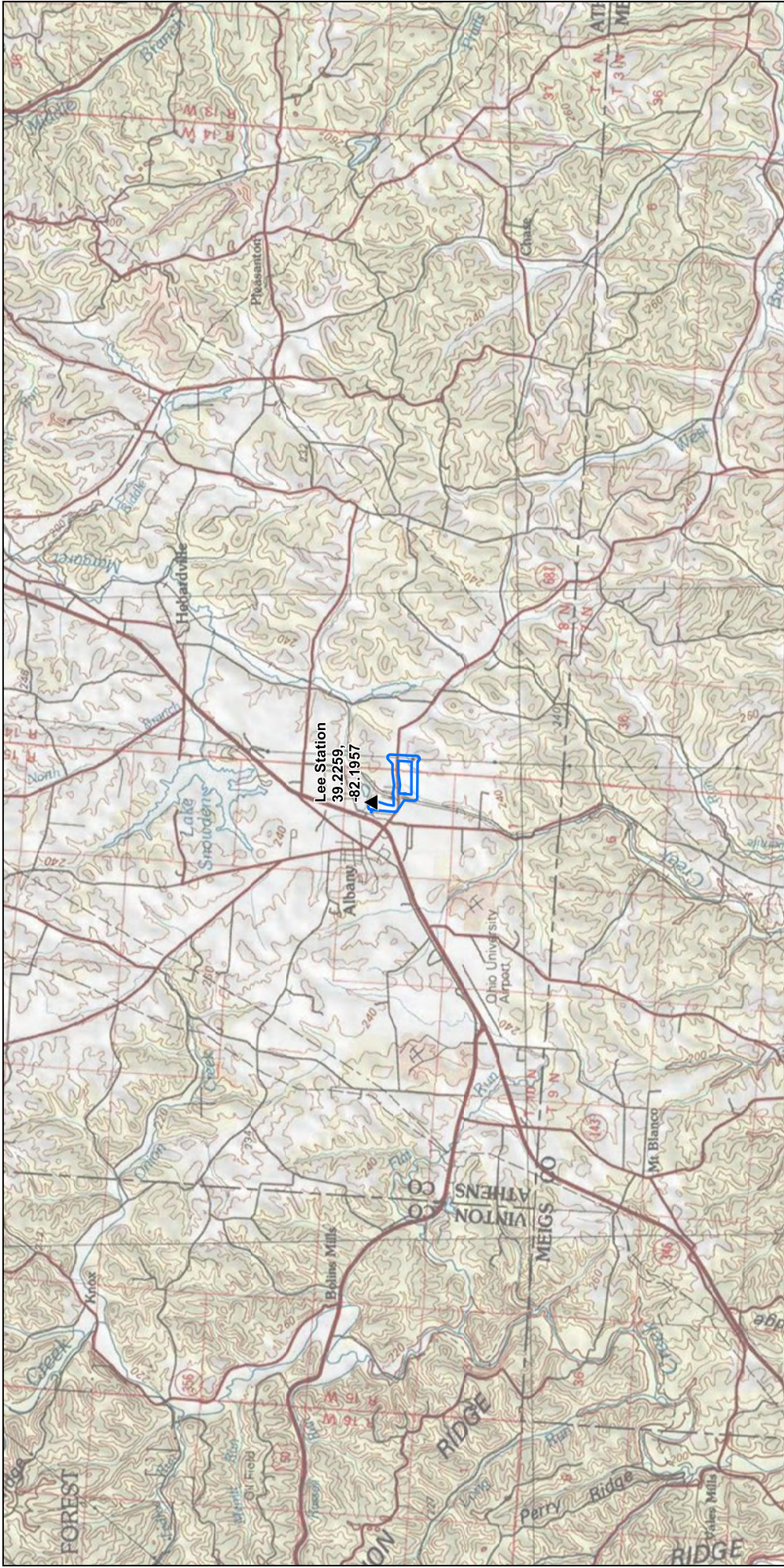


Lee Extension 138 kV Transmission Line Project

SWP3 General Notes



0 10 20 Miles



▲ AEP Substation

■ Environmental Survey Boundary


Sources:
Topo Quad (USGS)

Coordinate System:
State Plane Ohio South
NAD 1983


August 18, 2022


Lee Extension 138 kV Transmission Line Project

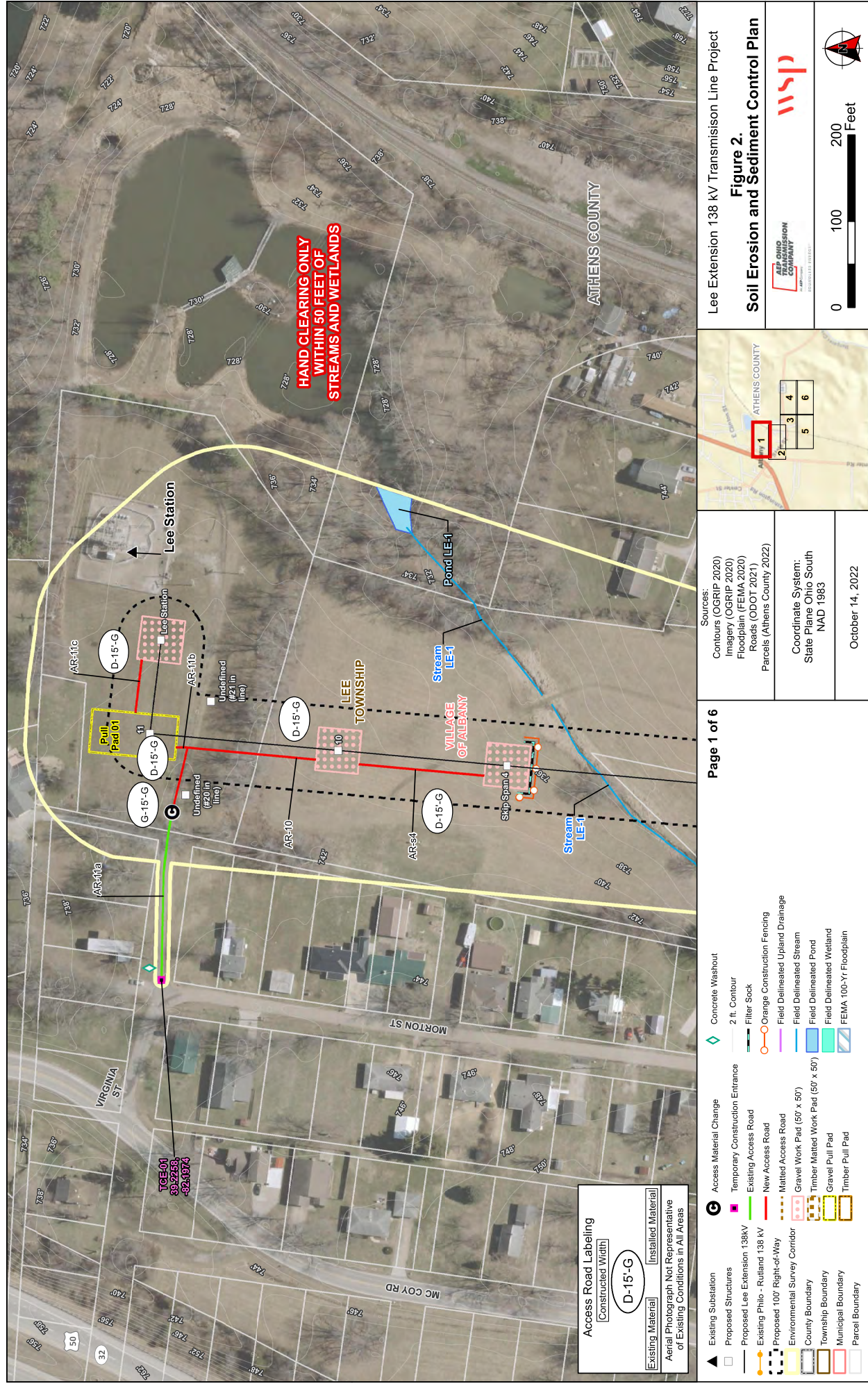
Figure 1. Project Location Map

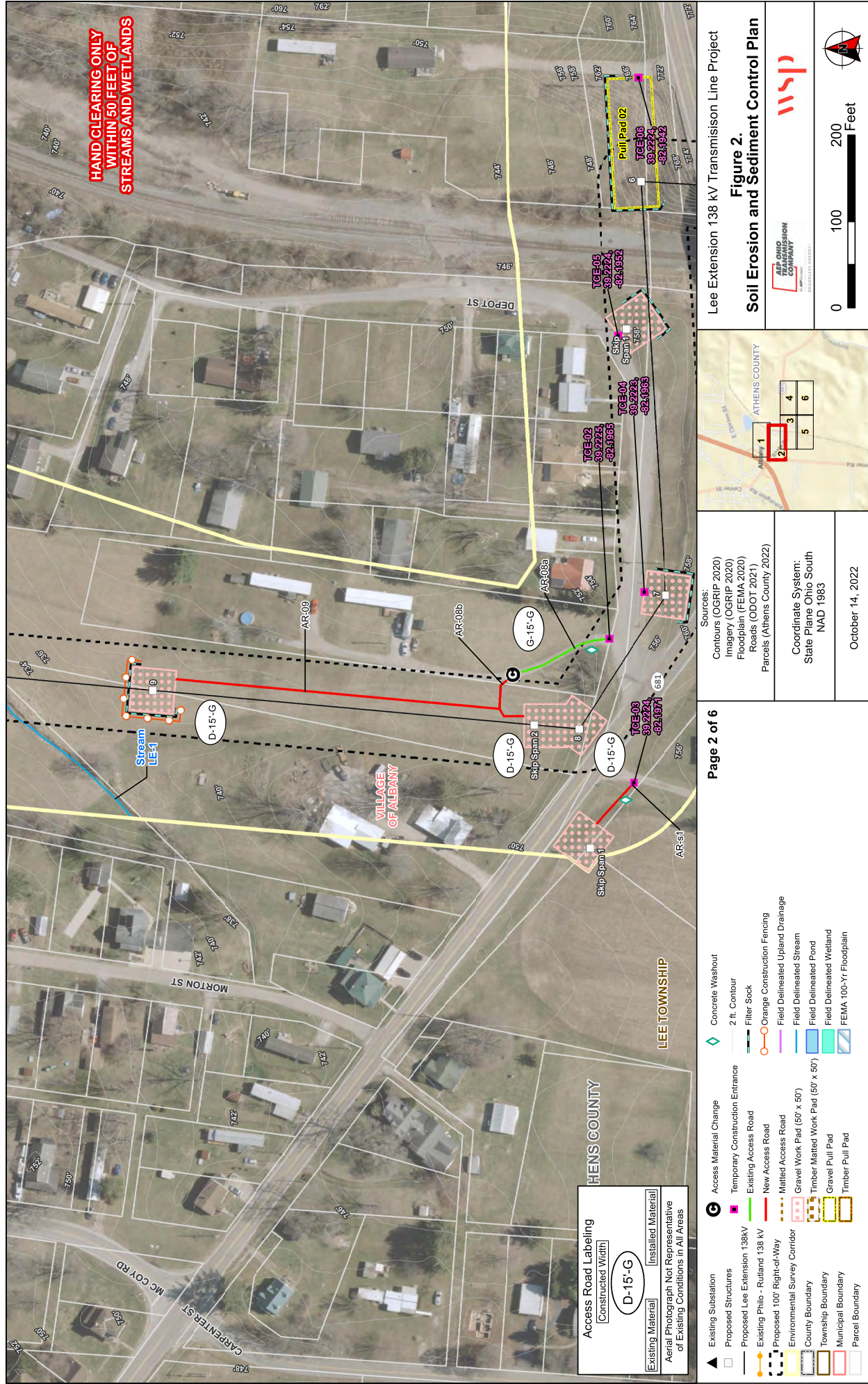
 AEP OHIO TRANSMISSION COMPANY

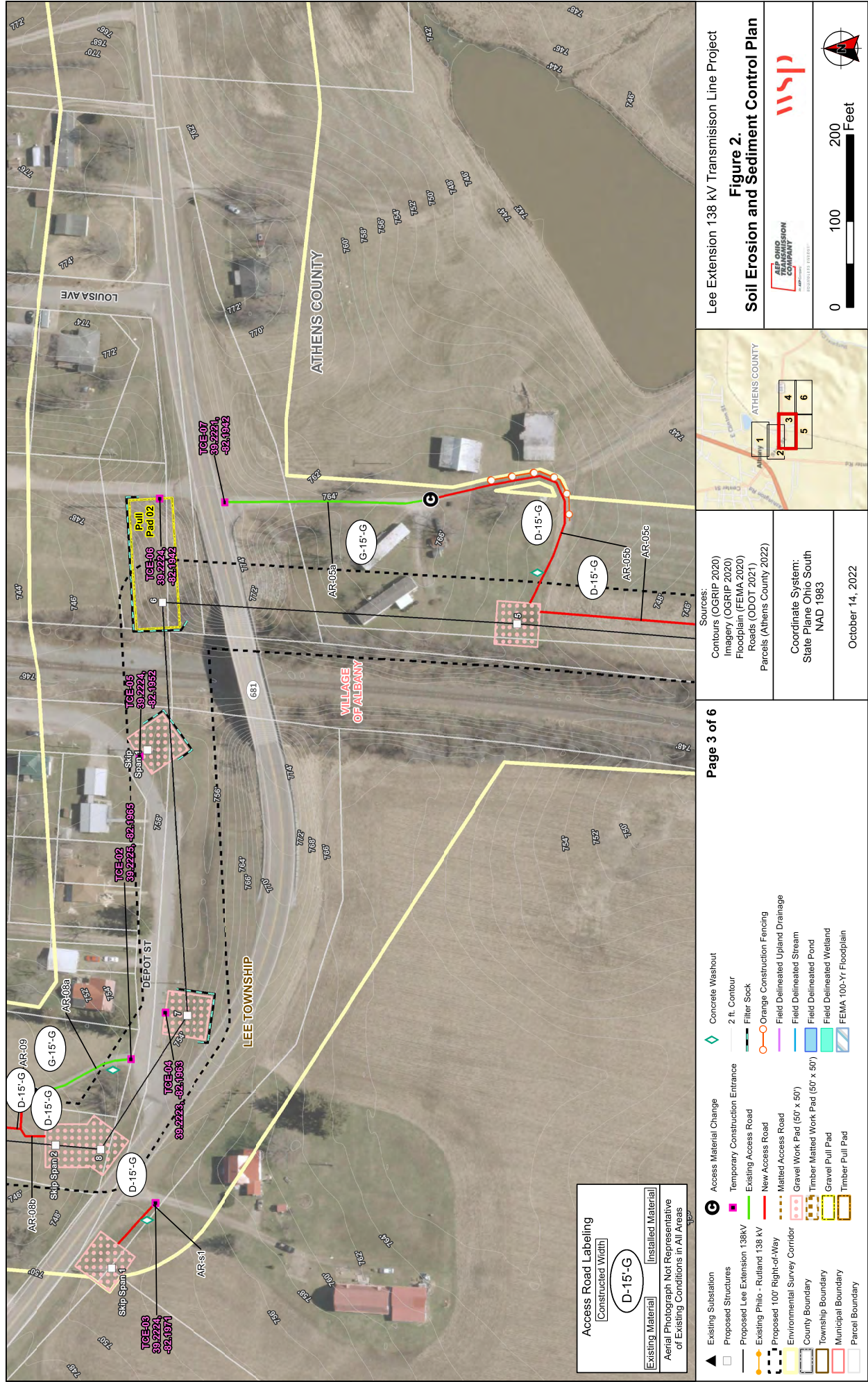
0 5,000 10,000 Feet

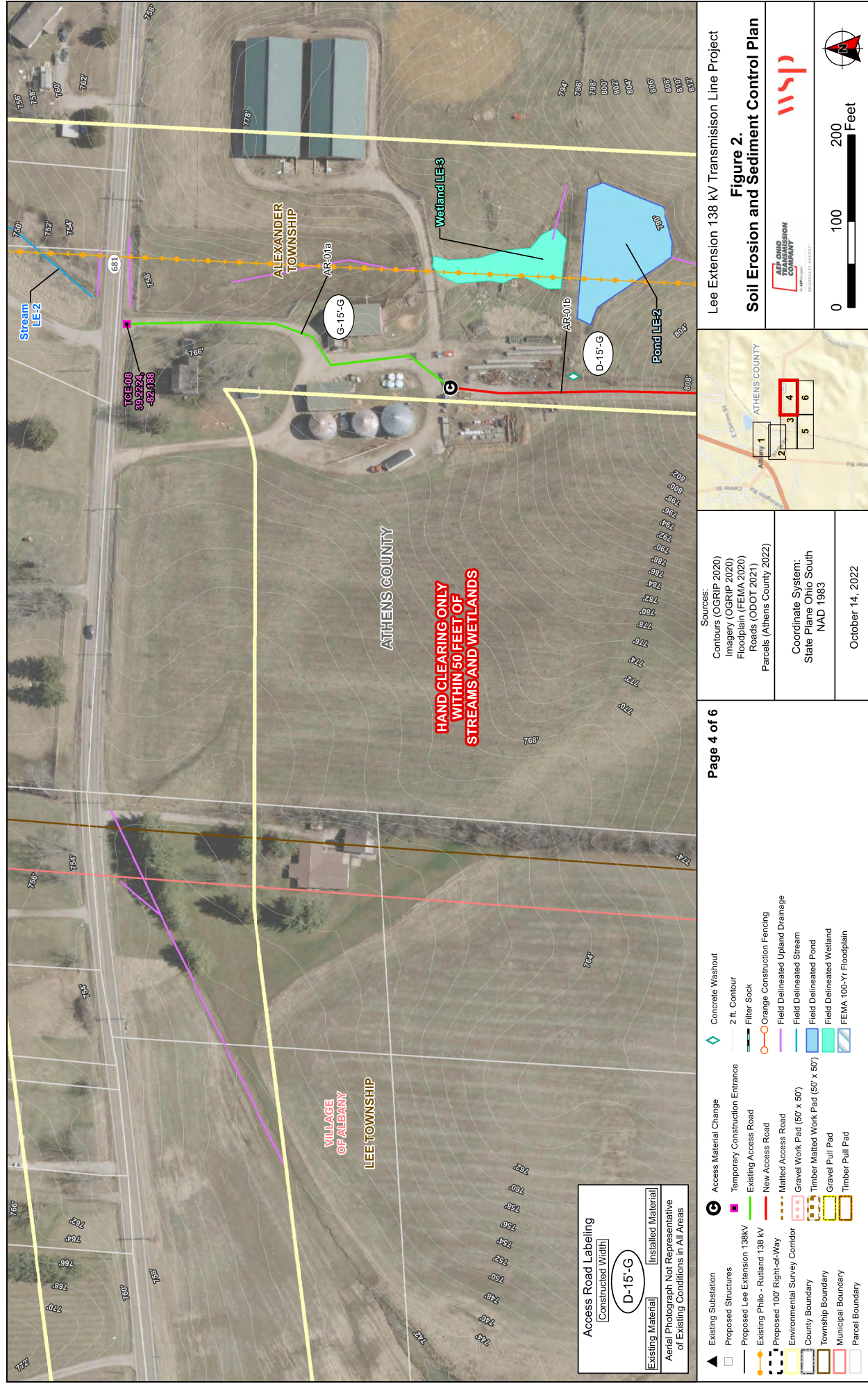


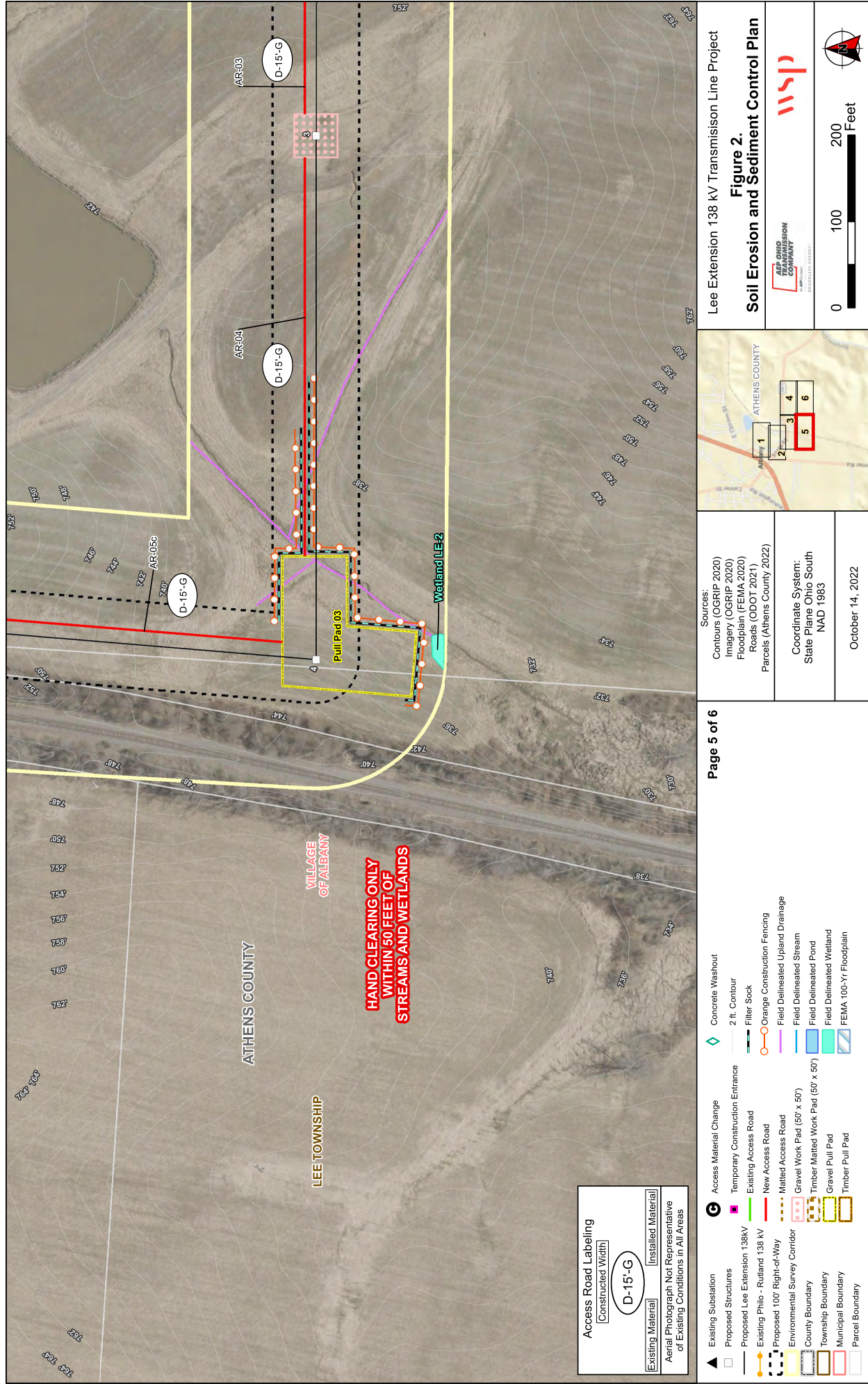


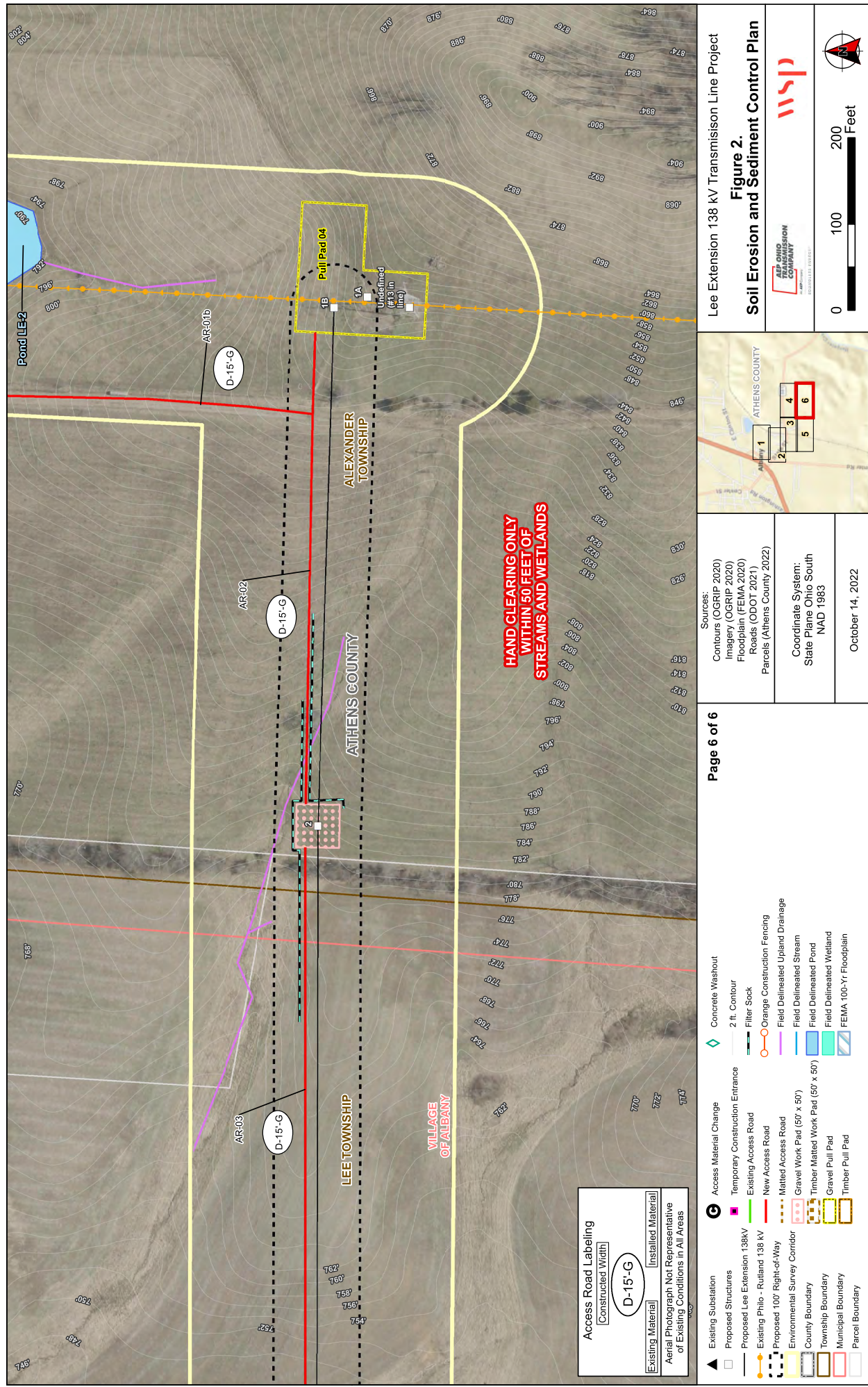


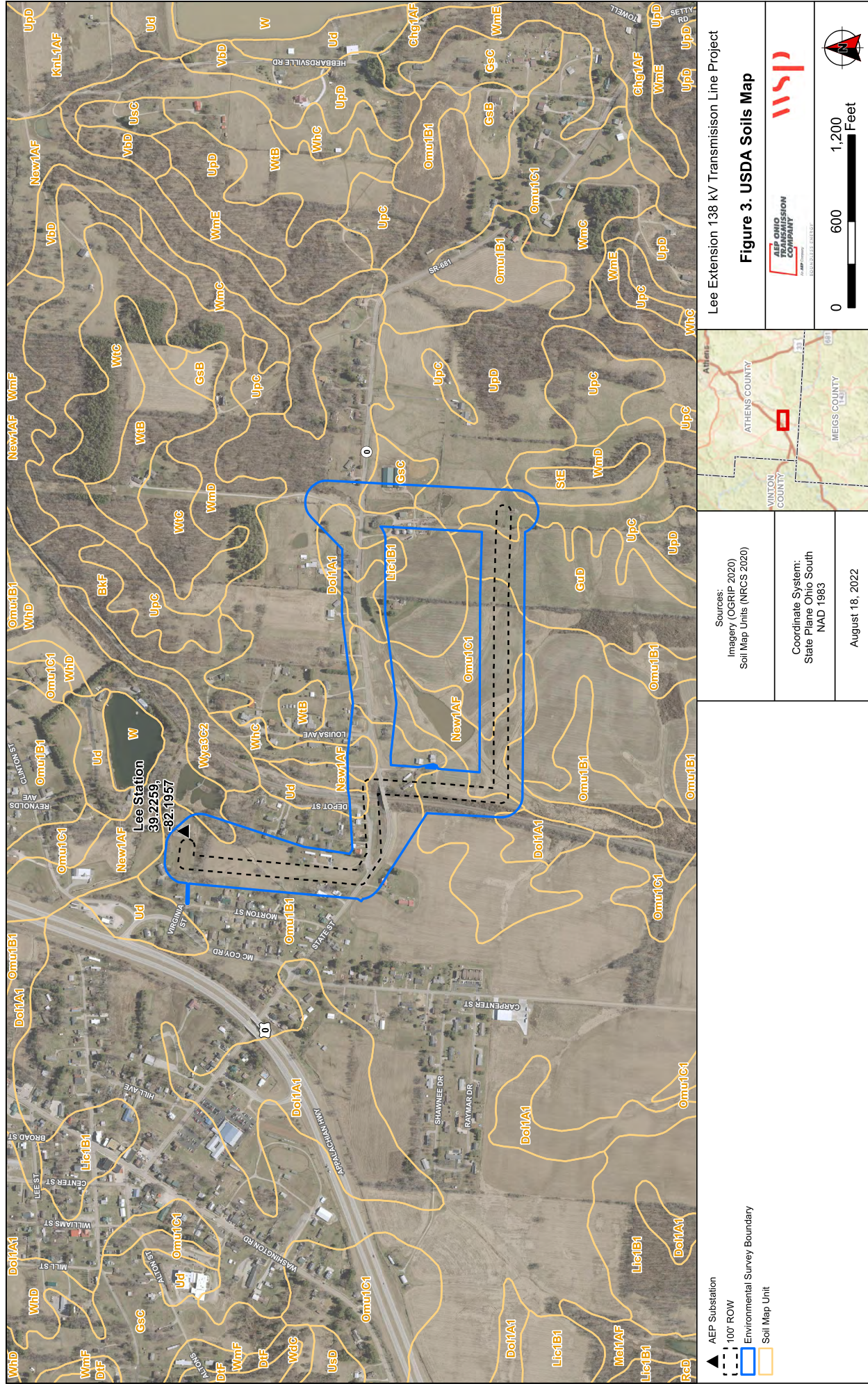












BMP Detail Sheets

Temporary Wetland and Stream Crossings

Dewatering Measures

Storm Drain Inlet Protection

Filter Sock

Construction Entrance

Dust Control

Temporary Seeding

Permanent Seeding

Mulching

Concrete Washout

Additional Pollution Controls

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.

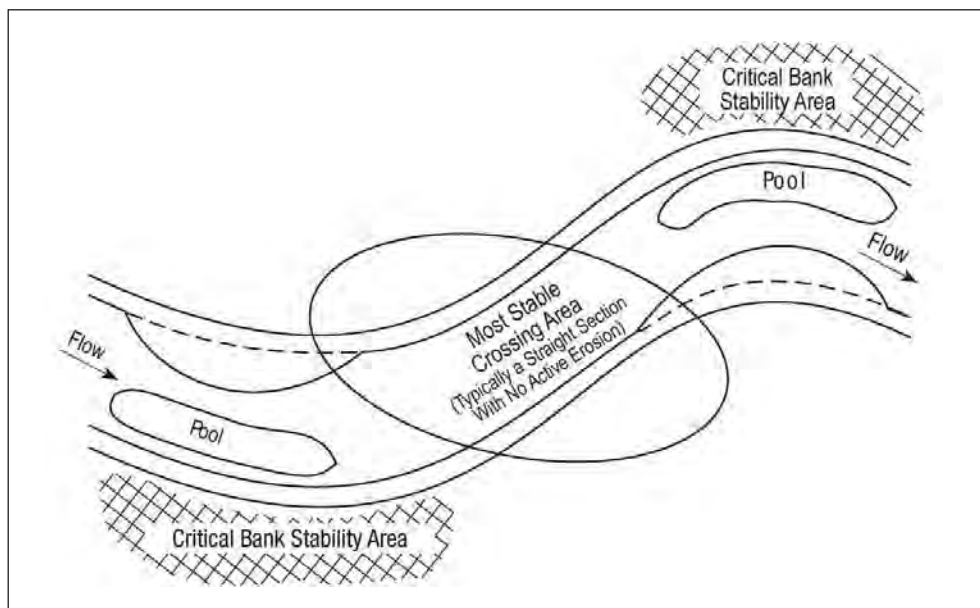


Figure 5.4.1 Stable location for utility crossing

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).

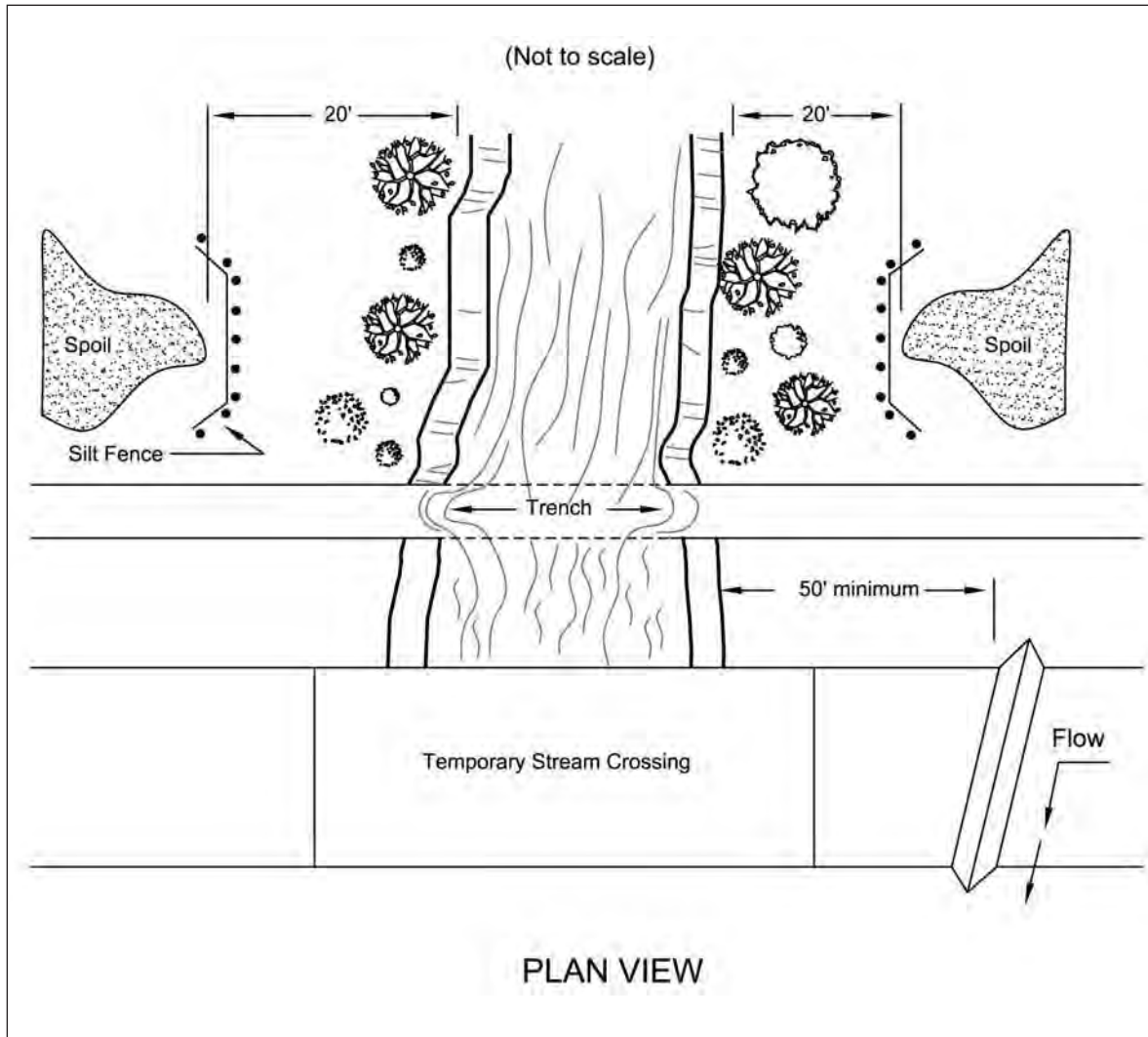
Maintenance

- 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.

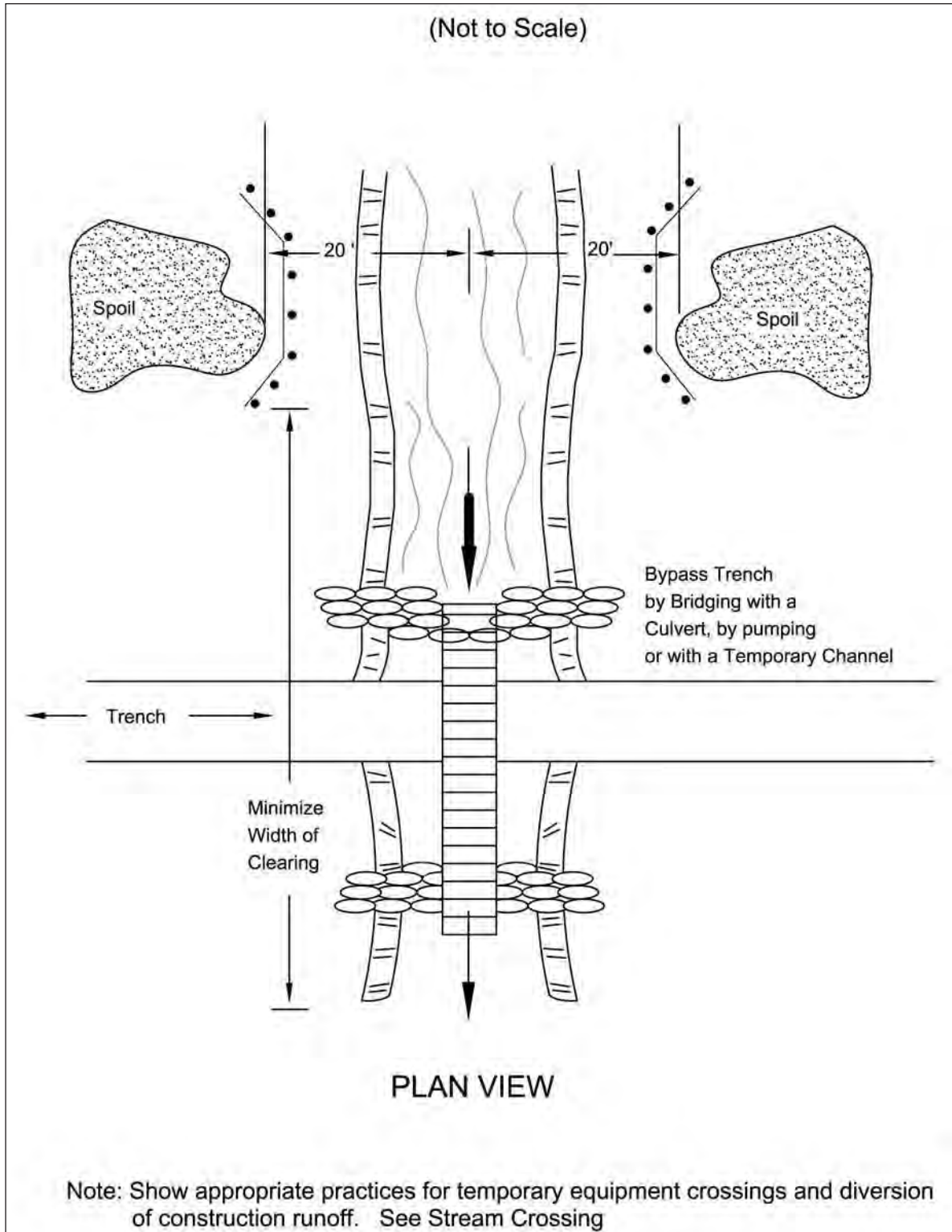
Common Problems/Concerns

- 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



Specifications
for
Small Stream Utility Crossing



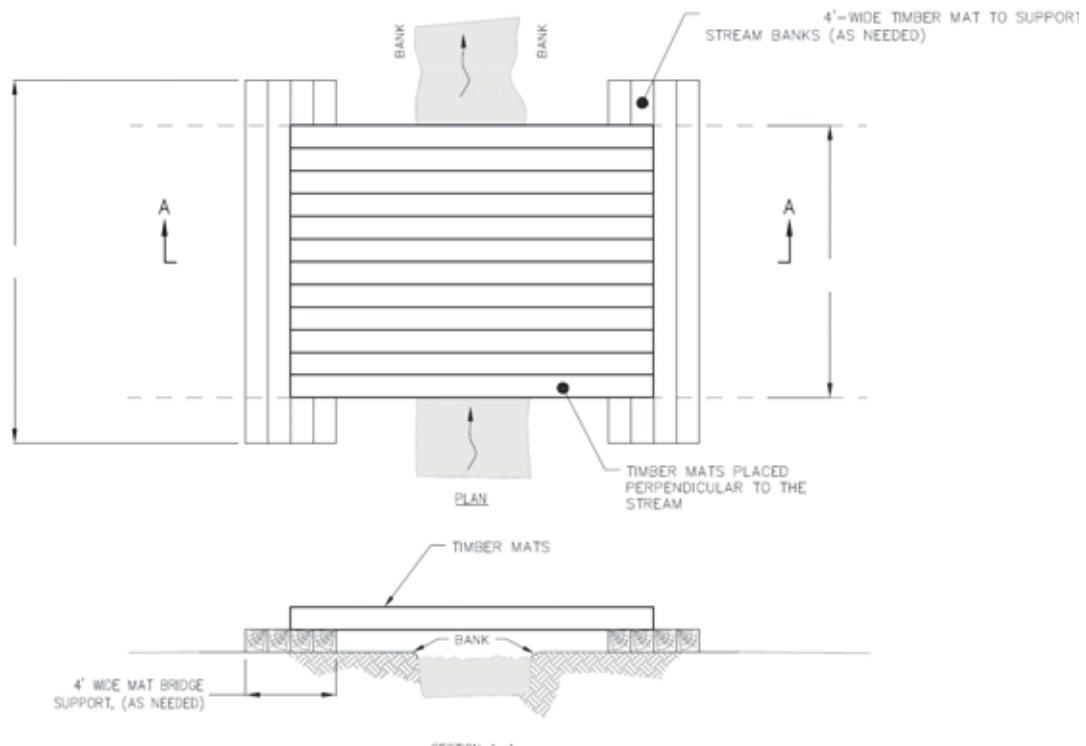
Specifications
for
Stream Utility Crossing

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 pilings, 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).

Temporary Wetland and Stream Crossings

Temporary wetland and stream crossings will be installed in the ROW across unavoidable wetlands and streams to provide temporary construction access with minimal impact. The crossings shall consist of pre-fabricated wood matting. For stream crossings, a 4' wide timber mat should be used to parallel to the stream support the mat placed perpendicular to the stream as shown in the drawing below. Geotextile fabric should be used under the matting in wetland areas. After construction is completed, the wood mats and any geotextile fabric shall be removed and if placement or removal of the mats has resulted in disturbance to the vegetation, the area shall be seeded with an appropriate wetland mix.

Stream Detail



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 Withdraw 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 withdraw 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 an 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 be placed 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 not 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 effectiveness increases as detention times increase.

Sand Media Filters are 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 manufacturer's 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 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 maybe 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 Polyacrylimide for soil stabilization and stormwater management*. <http://www.dcr.state.va.us/sw/docs/anoinic.pdf>

Specifications
for
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 $\pm 5^{\circ}$ 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

6.4 Storm Drain Inlet Protection



Description

Storm drain inlet protection devices remove sediment from storm water before it enters storm sewers and downstream areas. Inlet protection devices are sediment barriers that may be constructed of washed gravel or crushed stone, geotextile fabrics and other materials that are supported around or across storm drain inlets.

Inlet protection is installed to capture some sediment and reduce the maintenance of storm sewers and other underground piping systems prior to the site being stabilized. Due to their poorer effectiveness, inlet protection is considered a secondary sediment control to be used in conjunction with other more effective controls.

Condition Where Practice Applies

Storm drain inlet protection is applicable anywhere construction site runoff may enter closed conveyance systems through storm sewer inlets. Generally inlet protection is limited to areas draining less than 1 acre.

This practice is generally not recommended as a primary means of sediment control. Storm drain inlet protection has limited capacity to control silts and clays, and is most effective in capturing larger sand-sized particles. It should only be a primary means if it is not possible to divert the storm drainage to a sediment trap or sediment basin, or if it is to be used only for a short period of time during the construction process.

Planning Considerations

Inlet protection in effect blocks storm drain inlets. Therefore consider the effect of ponding muddy water on streets and nearby areas and plan accordingly. Although ponding is beneficial in the sediment removal process, this may pose hazardous conditions for street travel. Additional ponding capacity with related increase in effectiveness can be provided for some drop inlets by excavating around the inlet.

Utilizing inlet protection on long sloping streets may cause runoff to bypass inlets on the slope and cause extra water to accumulate in low areas. In order for the inlet protection to work ponding must be maintained at the practice.

The recommended geotextiles are suitable for retaining/trapping large particle size materials, such as sand while maintaining some flow. Only specialized geotextile materials are suitable for retaining clay, silt and other fine soils. These materials, however, are subject to clogging.

Apply storm drain inlet protection as soon as the surface inlet is capable of receiving storm water. Geotextiles utilized in inlet protection are manufactured to control the rate of storm water flow, to retain certain sizes of soil particles. The controlled flow and ponding assists in sediment deposition. Geotextile fabrics come in a variety of materials with permeability, strength and durability ratings. In all cases, follow the manufacturer's recommendations for the specific product application, as well as installation and maintenance requirements.

All inlet protection practices require frequent maintenance and cleaning to maintain sufficient flow rates and to prevent accumulation of mud on streets and other areas.

The following types of storm drain inlet protection are listed according to type of flows and situations where they will perform best. Note that straw bales are not suitable as storm drain inlet protection, since they are often cease to allow flow through once saturated and often leak where bales join. Different types of storm drain inlet protection available are as follows:

- A. Excavated Drop Inlet Sediment Trap. Where the storm sewer can be left below the final grade, a depression in the ground adjacent to the inlet can be an effective way of reducing sediment going to the storm sewer. Runoff is directed to the depression and a sediment barrier is maintained between the depression and the storm sewer.
- B. Geotextile Inlet Protection. This method consists of placing filter fence around the perimeter of the drop inlet and backfilling. Apply this method where the inlet drains overload flow or sheet flow from gentle slopes and sheet or overland flow.
- C. Geotextile-Stone Protection. These are used both on drop inlets and in street curbs and gutters where the ponding of water will not cause damage or inconvenience. This filter is simply constructed of geotextile materials over the inlet, with stone on top. Note: this practices does not have an opening for overflow and should not be placed where clogging and subsequent flooding would cause safety concerns or property damage.
- D. Geotextile-Stone Curb Inlet Protection. This method is used only on curb and gutter inlets and utilizes wire mesh, geotextile and stone over a wood frame. This practice should be used to prevent larger volumes of water from ponding in the street. If the overflow provided is insufficient, it may be modified according to this specification to accommodate greater flows.

- E. Block and Gravel Drop Inlet Protection. This practice utilizes a wall of cement blocks overlain with wire mesh and gravel around the perimeter to slow runoff before entering a storm drain. It is not recommended anywhere vehicle traffic will be operating.
- F. Manufactured Inlet Protection Devices. Any manufactured products utilized for inlet protection must be constructed of materials equally durable and effective as those provided in this practice. They must be able to be secured such that construction site runoff is intercepted, ponded and filtered prior to entering the storm drain except during extreme flows. Devices must allow the removal of captured material without falling into the catch basin.

Maintenance

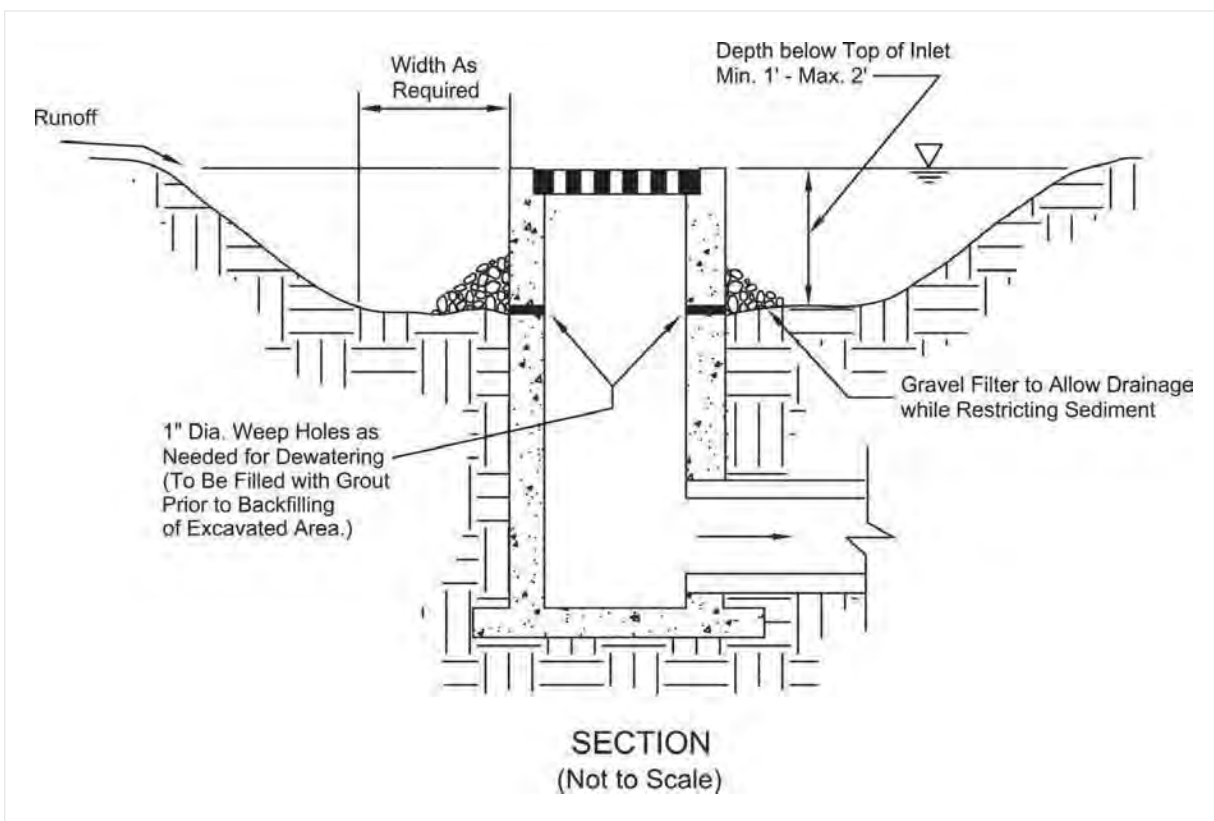
Effective storm drain inlet protection collects sediment and therefore must be cleaned regularly to prevent clogging and subsequent flooding conditions, piping, or overtopping of the control structures. Sediment barriers that sag, fall over, or are not properly secured, must be promptly repaired or replaced.

Inlet protection shall be inspected weekly and after each rainfall event. Areas where there is active traffic shall be inspected daily. Repairs shall be made as needed to assure the practice is performing as intended. Sediment shall be removed when accumulation is one-half the height of the trap. Sediment shall not be washed into the inlet. Sediment shall be removed and placed in a location where it is stable and not subject to erosion.

Once the contributing drainage area has been properly stabilized, all filter material and collected sediment shall be removed and properly disposed.

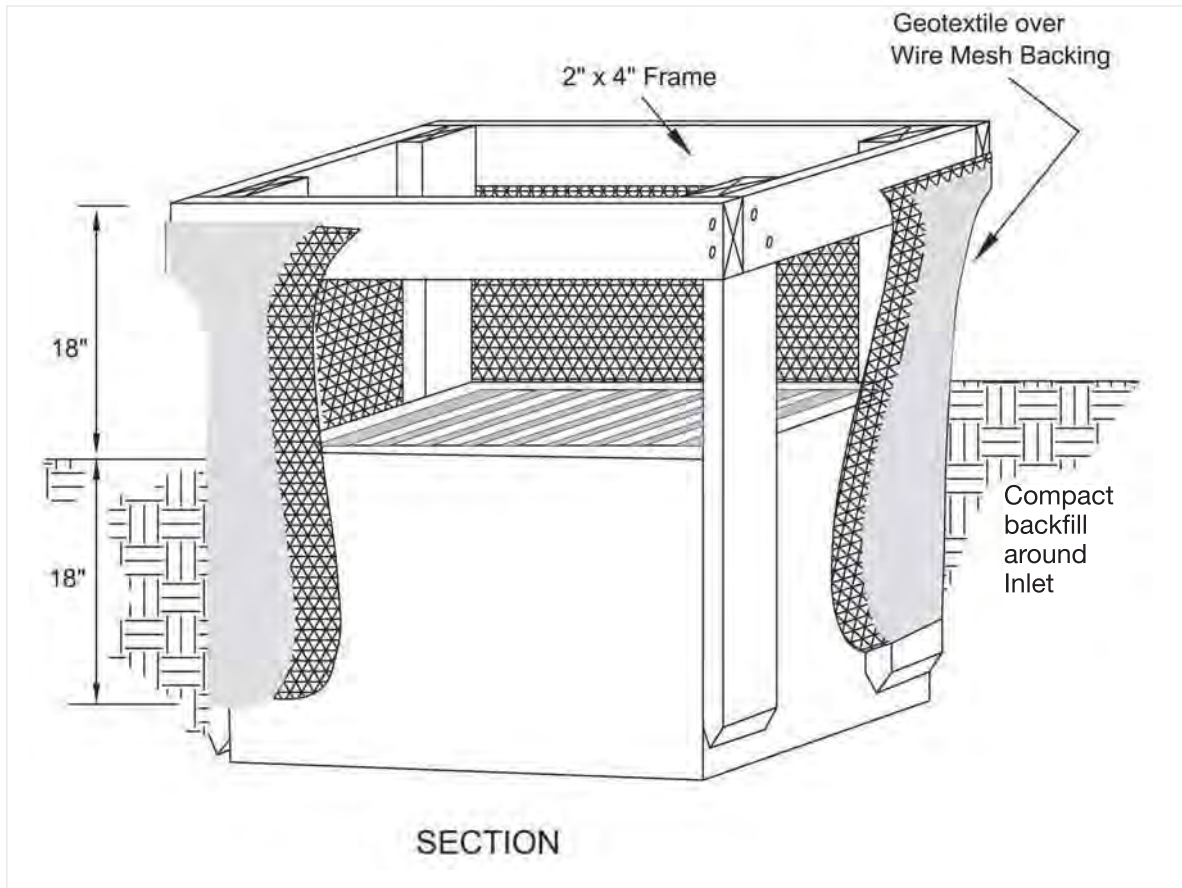
Specifications
for

Excavated Drop Inlet Sediment Protection



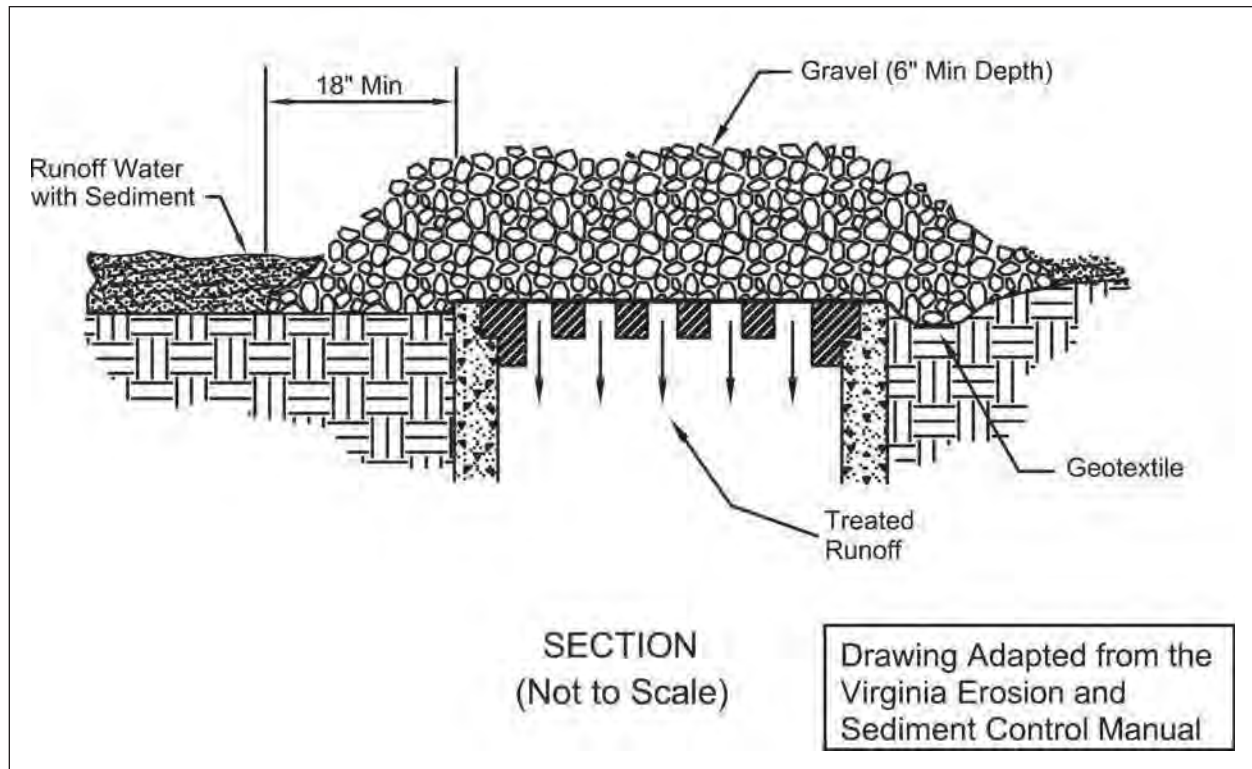
1. The excavated trap should be sized to provide a minimum storage capacity calculated at the rate of 135 cubic yards for one (1) acre of drainage area. A trap should be no less than one (1) foot, nor more than two (2) feet deep measured from the top of the inlet structure. Side slopes should not be steeper than 2:1.
2. The slopes of the trap may vary to fit the drainage area and terrain.
3. Where the area receives concentrated flows, such as in a highway median, provide the trap with a shape having a 2:1 ratio of length to width, with the length oriented in the direction of the flow.
4. Sediment should be removed and the trap restored to the original depth when the sediment has accumulated to 40% the design depth of the trap. Removed sediment should be spread in a suitable area and stabilized so it will not erode.
5. During final grading, the inlet should be protected with geotextile-stone inlet protection. Once final grading is achieved, sod or a suitable temporary erosion control material shall be implemented to protect the area until permanent vegetation is established.

Specifications
for
Geotextile Inlet Protection



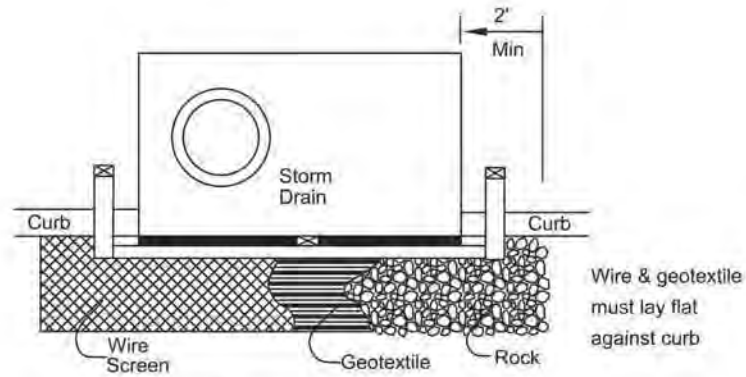
1. Inlet protection shall be constructed either before upslope land disturbance begins or before the inlet becomes functional.
2. The earth around the inlet shall be excavated completely to a depth at least 18 inches.
3. The wooden frame shall be constructed of 2-inch by 4-inch construction grade lumber. The 2-inch by 4-inch posts shall be driven one (1) ft. into the ground at four corners of the inlet and the top portion of 2-inch by 4-inch frame assembled using the overlap joint shown. The top of the frame shall be at least 6 inches below adjacent roads if ponded water will pose a safety hazard to traffic.
4. Wire mesh shall be of sufficient strength to support fabric with water fully impounded against it. It shall be stretched tightly around the frame and fastened securely to the frame.
5. Geotextile material shall have an equivalent opening size of 20-40 sieve and be resistant to sunlight. It shall be stretched tightly around the frame and fastened securely. It shall extend from the top of the frame to 18 inches below the inlet notch elevation. The geotextile shall overlap across one side of the inlet so the ends of the cloth are not fastened to the same post.
6. Backfill shall be placed around the inlet in compacted 6-inch layers until the earth is even with notch elevation on ends and top elevation on sides.
7. A compacted earth dike or check dam shall be constructed in the ditch line below the inlet if the inlet is not in a depression. The top of the dike shall be at least 6 inches higher than the top of the frame.

Specifications
for
Geotextile-Stone Inlet Protection

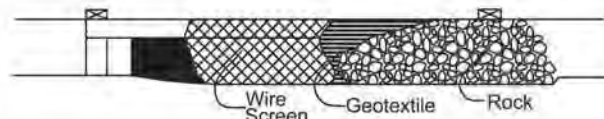


1. Inlet protection shall be constructed either before upslope land disturbance begins or before the inlet becomes functional.
2. Geotextile and/or wire material shall be placed over the top of the storm sewer and approximately six (6) inches of 2-inch or smaller clean aggregate placed on top. Extra support for geotextile is provided by placing hardware cloth or wire mesh across the inlet cover. The wire should be no larger than $\frac{1}{2}$ " mesh and should extend an extra 12 inches across the top and sides of the inlet cover.
3. Maintenance must be performed regularly, especially after storm events. When clogging of the stone or geotextile occurs, the material must be removed and replaced.

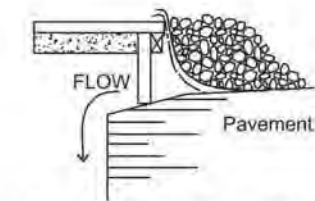
Specifications
for
Geotextile - Stone Inlet Protection for Curb Inlets



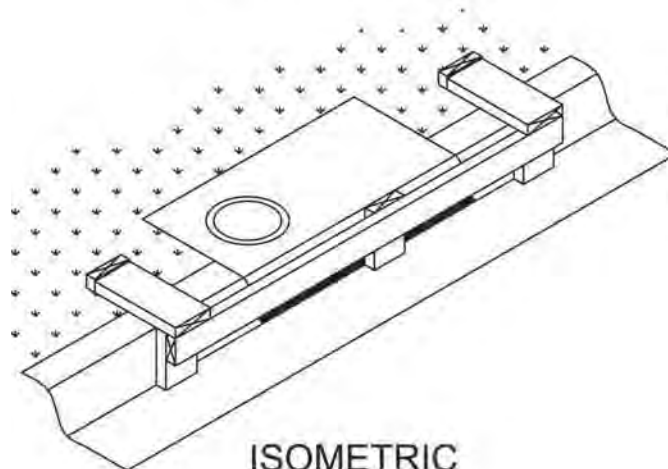
PLAN VIEW



ELEVATION



CROSS SECTION



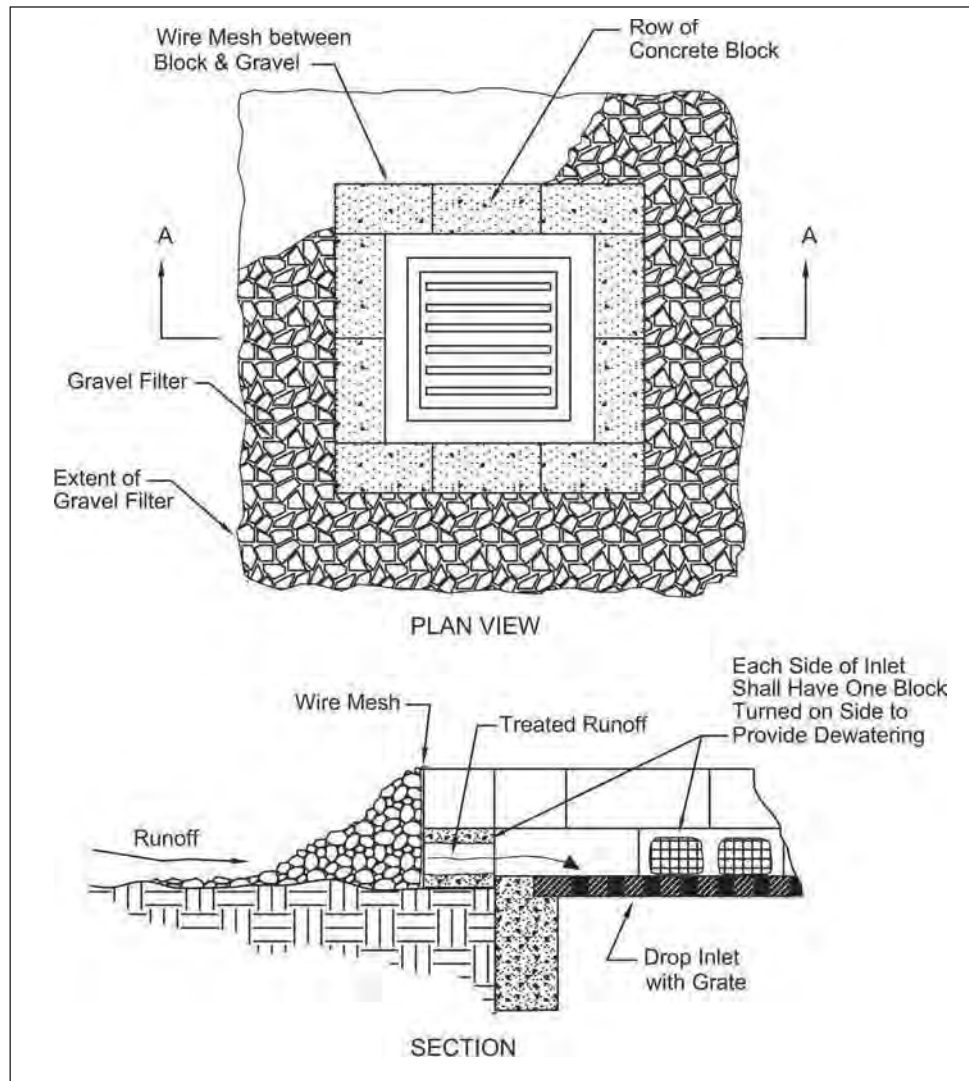
ISOMETRIC

Specifications
for

Geotextile-Stone Inlet Protection for Curb Inlets

1. Inlet protection shall be constructed either before upslope land disturbance begins or before the inlet becomes functional.
2. Construct a wooden frame of 2-by-4-in. construction-grade lumber. The end spacers shall be a minimum of 1 ft. beyond both ends of the throat opening. The anchors shall be nailed to 2-by-4-in. stakes driven on the opposite side of the curb.
3. The wire mesh shall be of sufficient strength to support fabric and stone. It shall be a continuous piece with a minimum width of 30 in. and 4 ft. longer than the throat length of the inlet, 2 ft. on each side.
4. Geotextile cloth shall have an equivalent opening size (EOS) of 20-40 sieve and be resistant to sunlight. It shall be at least the same size as the wire mesh.
5. The wire mesh and geotextile cloth shall be formed to the concrete gutter and against the face of the curb on both sides of the inlet and securely fastened to the 2-by-4-in. frame.
6. Two-inch stone shall be placed over the wire mesh and geotextile in such a manner as to prevent water from entering the inlet under or around the geotextile cloth.
7. This type of protection must be inspected frequently and the stone and/or geotextile replaced when clogged with sediment.

Specifications
for
Block and Gravel Drop Inlet Filter



1. Place 4-inch by 8-inch by 12-inch concrete blocks lengthwise on their sides in a single row around the perimeter of the inlet, with the ends of adjacent blocks abutting. The height of the barrier can be varied, depending upon the design needs, by stacking combinations of the same size blocks. The barrier of blocks should be at least 12-inches high but no greater than 24-inches high.
2. Wire mesh should be placed over the outside vertical face (webbing) of the concrete blocks to prevent stone from being washed through the block cores. Hardware cloth or comparable wire mesh with $\frac{1}{2}$ -inch openings should be used.
3. Two-inch stone should be piled against the wire to the top of the block barrier, as shown below.
4. If the stone filter becomes clogged with sediment so that it no longer adequately performs its function, pull stone away from the blocks, clean and/or replace.

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 ¼ to ½ 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.

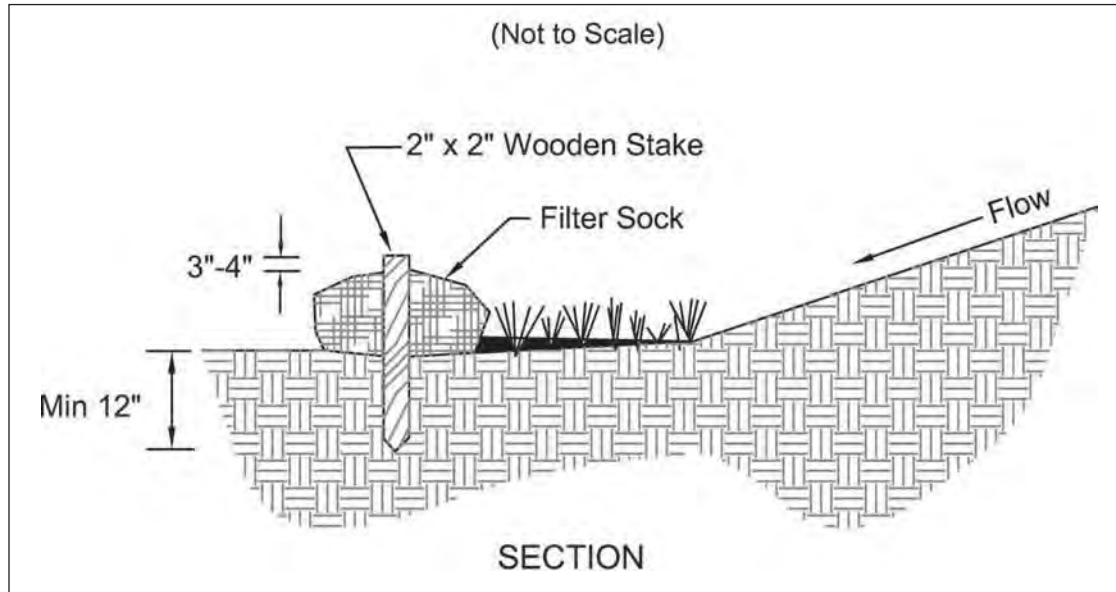
Maintenance – Filter socks should be regularly inspected to make sure they hold their shape, are ponding, and allowing adequate flow through. If ponding becomes excessive, filter socks should be replaced. Used filter socks may be cut and the compost dispersed and seeded to prevent captured sediment from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

7.4 Construction Entrance



Description

A construction entrance is a stabilized pad of stone underlain with a geotextile and is used to reduce the amount of mud tracked off-site with construction traffic. Located at points of ingress/egress, the practice is used to reduce the amount of mud tracked off-site with construction traffic.

Conditions Where Practice Applies

A construction entrance is applicable where:

- Construction traffic leaves active construction areas and enters public roadways or areas unchecked by effective sediment controls;
- Areas where frequent vehicle and equipment access is expected and likely to contribute sediment to runoff, such as at the entrance to individual building lots.

Planning Considerations

Construction entrances address areas that contribute significant amounts of mud to runoff by providing a stable area for traffic. Although they allow some mud to be removed from construction vehicle tires before they enter a public roads, they should not be the only practice relied upon to manage off-site tracking. Since most mud is flung from tires as they reach higher speeds, restricting traffic to stabilized construction roads, entrances and away from muddy areas is necessary.

If a construction entrance is not sufficient to remove the majority of mud from wheels or there is an especially sensitive traffic situation on adjacent roads, wheel wash areas may be necessary. This requires an extended width pad to avoid conflicts with traffic, a supply of wash water and sufficient drainage to assure runoff is captured in a sediment pond or trap.

Proper installation of a construction entrance requires a geotextile and proper drainage to insure construction site runoff does not leave the site. The use of geotextile under the stone helps to prevent potholes from developing and will save the amount of stone needed during the life of the practice. Proper drainage may include culverts to direct water under the roadway or water bars to direct muddy water off the roadway toward sediment traps or ponds.

Design Criteria

The area of the entrance must be cleared of all vegetation, roots, and other objectionable material. Geotextile will then be placed the full width and length of the entrance.

Stone shall be placed to a depth of at least 6 inches. Roads subject to heavy duty loads should be increased to a minimum of 10 inches. Surface water shall be conveyed under the entrance, through culverts, or diverted via a water bars or mountable berms (minimum 5:1 slopes) so as to convey sediment laden runoff to sediment control practices or to allow clean water to pass by the entrance.

The stabilized construction entrance shall meet the specifications that follow.

Maintenance

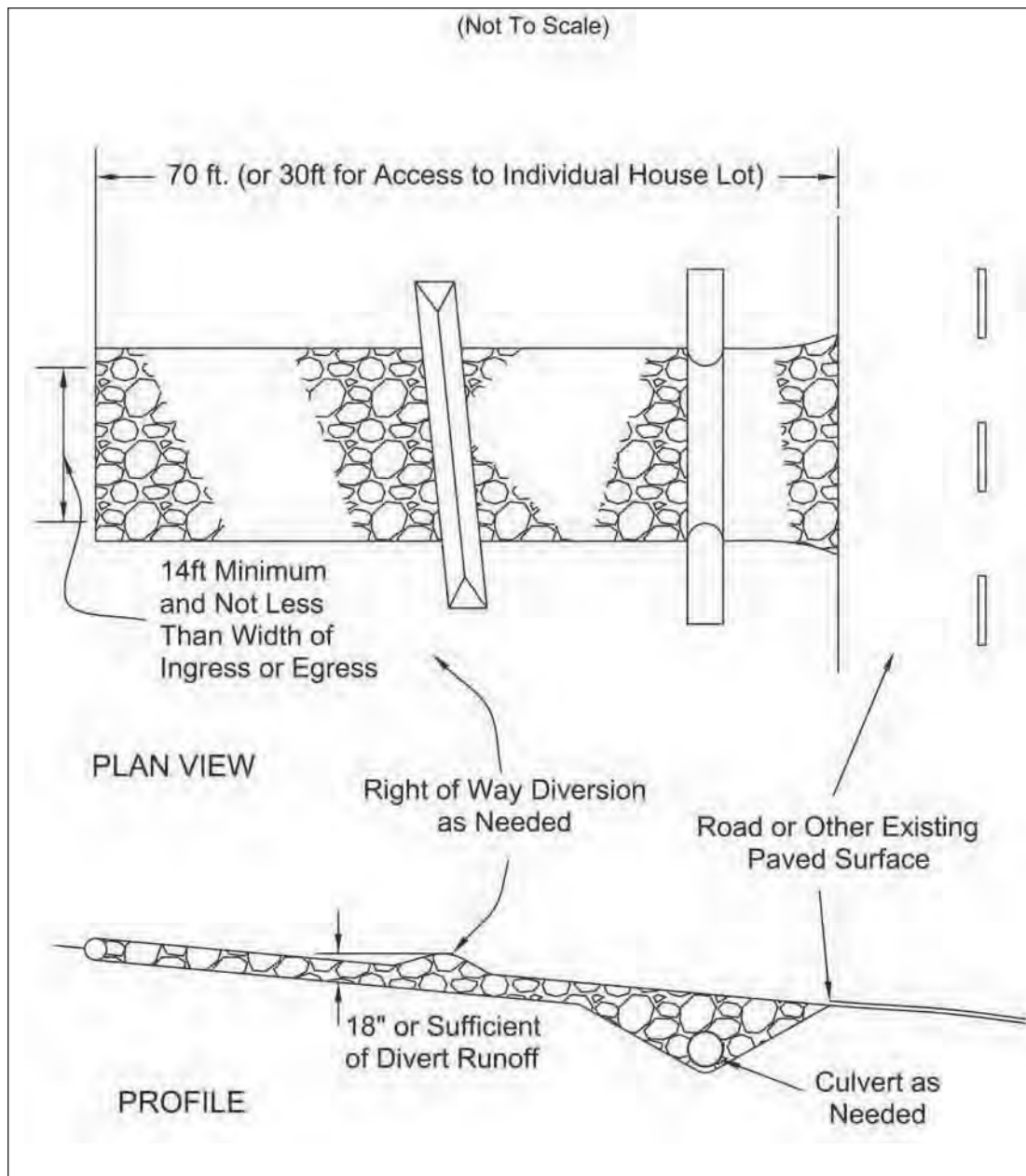
The entrance shall be maintained in a condition that will prevent tracking or flow of mud onto public rights-of-way. This may require periodic top dressing with additional stone or the washing and reworking of existing stone as conditions demand and repair and/or cleanout of any structures used to trap sediment. All materials spilled, dropped, washed, or tracked from vehicles onto roadways or into storm drains must be removed immediately. The use of water trucks to remove materials dropped, washed, or tracked onto roadways will not be permitted under any circumstances.

Common Problems / Concerns

Mud is allowed to accumulate and is tracked on to public right-of-ways. The entrance and associated construction roads may need dressing with additional stone.

Soft depression areas develop in entrance area. Stone may not have been underlain with geotextile or insufficient stone base has been provided.

Specifications
for
Construction Entrance



Specifications for **Construction Entrance**

1. **Stone Size**—ODOT # 2 (1.5-2.5 inch) stone shall be used, or recycled concrete equivalent.
2. **Length**—The Construction entrance shall be as long as required to stabilize high traffic areas but not less than 70 ft. (exception: apply 30 ft. minimum to single residence lots).
3. **Thickness** -The stone layer shall be at least 6 inches thick for light duty entrances or at least 10 inches for heavy duty use.
4. **Width** -The entrance shall be at least 14 feet wide, but not less than the full width at points where ingress or egress occurs.
5. **Geotextile** -A geotextile shall be laid over the entire area prior to placing stone. It shall be composed of strong rot-proof polymeric fibers and meet the following specifications:
 6. **Timing**—The construction entrance shall be installed as soon as is practicable before major grading activities.
 7. **Culvert** -A pipe or culvert shall be constructed under the entrance if needed to prevent surface water from flowing across the entrance or to prevent runoff from being directed out onto paved surfaces.
 8. **Water Bar** -A water bar shall be constructed as part of the construction entrance if needed to prevent surface runoff from flowing the length of the construction entrance and out onto paved surfaces.
 9. **Maintenance** -Top dressing of additional stone shall be applied as conditions demand. Mud spilled, dropped, washed or tracked onto public roads, or any surface where runoff is not checked by sediment controls, shall be removed immediately. Removal shall be accomplished by scraping or sweeping.
 10. Construction entrances shall not be relied upon to remove mud from vehicles and prevent off-site tracking. Vehicles that enter and leave the construction-site shall be restricted from muddy areas.
 11. **Removal**—the entrance shall remain in place until the disturbed area is stabilized or replaced with a permanent roadway or entrance.

Figure 7.4.1

Geotextile Specification for Construction Entrance	
Minimum Tensile Strength	200 lbs.
Minimum Puncture Strength	80 psi.
Minimum Tear Strength	50 lbs.
Minimum Burst Strength	320 psi.
Minimum Elongation	20%
Equivalent Opening Size	EOS < 0.6 mm.
Permittivity	1×10 ⁻³ cm/sec.

7.5 Dust Control



Description

Dust control involves preventing or reducing dust from exposed soils or other sources during land disturbing, demolition and construction activities to reduce the presence of airborne substances which may present health hazards, traffic safety problems or harm animal or plant life.

Conditions Where Practice Applies

In areas subject to surface and air movement of dust where on-site and off-site damage is likely to occur if preventive measures are not taken.

Planning Considerations

Construction activities inevitably result in the exposure and disturbance of soil. Fugitive dust results from both construction activities and as a result of wind erosion over the exposed earth surfaces. Large quantities of dust are typically generated in heavy construction activities, such as road construction and subdivision, commercial or industrial development, which involve disturbing significant areas of the soil surface. Research of construction sites has established an average dust emission rate of 1.2 tons/acre/month for active construction. Earth-moving activities comprise the major source of construction dust emissions, but traffic and general disturbance of the soil also generate significant dust emissions.

Planning for dust control involves limiting the amount of soil disturbance at any one time as a key objective. Therefore, phased clearing and grading operations (minimize disturbance-phasing) and the utilization of other stabilization practices can significantly reduce dust emissions. Undisturbed vegetative buffers (minimum 50-foot widths) left between graded areas and protected areas can also be very helpful in dust control by providing windbreaks and non-erosive areas.

Design Criteria

A number of measures can be utilized to limit dust either during or between construction stages or once construction is complete. Generally the same methods that are used to limit erosion by limiting exposure of soils to rainfall can be used to limit dust including: stabilizing exposed soils with mulch, vegetation or permanent cover. Additional methods particular to dust control include managing vehicles and construction traffic, road treatment and treatment of exposed soil with chemical stabilizers.

Vegetative Cover – The most effective way to prevent dust from exposed soil is to provide a dense cover of vegetation. In areas subject to little or no construction traffic, vegetative stabilization reduces dust drastically. Timely temporary and permanent seedings must be utilized to accomplish this. See TEMPORARY SEEDING & PERMANENT SEEDING.

Mulch - When properly applied, mulch offers a fast, effective means of controlling dust. Mulching is not recommended for areas within heavy traffic pathways. Binders or tackifiers should be used to tack organic mulches. See MULCHING.

Rough Graded Soils – Leaving the soil in a temporary state of rough grade, where clods rather than flattened soils predominate the surface can reduce the amount of dust generated from areas during periods of higher winds. This must be balanced by the need to reach a stage where the soil can be stabilized and may be only be necessary when high winds are predicted.

Watering - This is the most commonly used dust control practice. The site is sprinkled with water until the surface is wet before and during grading and is repeated as needed. It offers fast protection for haul roads and other heavy traffic routes. Watering should be done at a rate that prevents dust but does not cause soil erosion. Wetting agents are also available to increase the effectiveness of watering and must follow manufacturers instructions.

Chemical Stabilizers/Wetting Agents – Many products of this type are available and are usually most effective on typical mineral soils but may not be on predominantly organic soils such as muck. Users are advised to pay attention to the limitations and instructions regarding each product. The following table lists various adhesives and provides corresponding information on mixing and application:

Table 7.5.1 Adhesives for Dust Control

Adhesive	Water Dilution (Adhesive: Water)	Nozzle Type	Application Rate Gallon/Acre
Latex Emulsion	12.5:1	Fine	235
Resin in Water	4:1	Fine	300
Acrylic Emulsion (No-traffic)	7:1	Coarse	450
Acrylic Emulsion (Traffic)	3.5:1	Coarse	350

Stone - Stone can be used to stabilize roads or other areas during construction using crushed stone or coarse gravel. Research has shown the addition of bentonite to limestone roads (not igneous gravel) has shown benefits in reducing dust.

Windbreaks and Barriers – Where dust is a known problem, existing windbreak vegetation should be preserved. Maintaining existing rows of trees or constructing a wind fence, sediment fence, or similar barrier can help to control air currents and blowing soil. Place barriers perpendicular to prevailing air currents at intervals of about 15 times the barrier height.

Calcium Chloride - This chemical may be applied by mechanical spreader as loose, dry granules or flakes at a rate that keeps the surface moist but not so high as to cause water pollution or plant damage. Liquid application of a 35% calcium chloride solution is common. Note: application rates should be strictly in accordance with suppliers' specified rates.

Street Cleaning - Paved areas that have accumulated sediment from construction sites should be cleaned daily, or as needed, utilizing a street sweeper or bucket -type loader or scraper.

Operation and Maintenance

Most dust control measures, such as applications of water or road treatments will require monitoring and repeat applications as needed to accomplish good control.

Common Problems / Concerns

Vegetation is removed from large areas of the construction site and left barren for long periods of time.

Continuous, scheduled monitoring of the construction site conditions is not made.

Specifications for **Dust Control**

1. Vegetative Cover and/mulch – Apply temporary or permanent seeding and mulch to areas that will remain idle for over 21 days. Saving existing trees and large shrubs will also reduce soil and air movement across disturbed areas. See Temporary Seeding; Permanent Seeding; Mulching Practices; and Tree and Natural Area Protection practices.
2. Watering – Spray site with water until the surface is wet before and during grading and repeat as needed, especially on haul roads and other heavy traffic routes. Watering shall be done at a rate that prevents dust but does not cause soil erosion. Wetting agents shall be utilized according to manufacturers instructions.
3. Spray-On Adhesives – Apply adhesive according to the following table or manufacturers' instructions.
4. Stone – Graded roadways and other suitable areas will be stabilized using crushed stone or coarse gravel as soon as practicable after reaching an interim or final grade. Crushed stone or coarse gravel can be used as a permanent cover to provide control of soil emissions.
5. Barriers – Existing windbreak vegetation shall be marked and preserved. Snow fencing or other suitable barrier may be placed perpendicular to prevailing air currents at intervals of about 15 times the barrier height to control air currents and blowing soil.
6. Calcium Chloride - This chemical may be applied by mechanical spreader as loose, dry granules or flakes at a rate that keeps the surface moist but not so high as to cause water pollution or plant damage. Application rates should be strictly in accordance with suppliers' specified rates.
7. Operation and Maintenance - When Temporary Dust Control measures are used; repetitive treatment should be applied as needed to accomplish control.

Table 7.5.1 Adhesives for Dust Control

Adhesive	Water Dilution (Adhesive: Water)	Nozzle Type	Application Rate Gal./Ac.
Latex Emulsion	12.5:1	Fine	235
Resin in Water Acrylic Emulsion (No-traffic)	4:1	Fine	300
Acrylic Emulsion (No-traffic)	7:1	Coarse	450
Acrylic Emulsion (Traffic)	3.5:1	Coarse	350

Street Cleaning - Paved areas that have accumulated sediment from construction should be cleaned daily, or as needed, utilizing a street sweeper or bucket -type endloader or scraper.

7.8 Temporary Seeding



Description

Temporary seedings establish temporary cover on disturbed areas by planting appropriate rapidly growing annual grasses or small grains. Temporary seeding provides erosion control on areas in between construction operations. Grasses, which are quick growing, are seeded and usually mulched to provide prompt, temporary soil stabilization. It effectively minimizes the area of a construction site prone to erosion and should be used everywhere the sequence of construction operations allows vegetation to be established.

Conditions Where the Practice Applies

Temporary seeding should be applied on exposed soil where additional work (grading, etc.) is not scheduled for more than 21 days. Permanent seeding should be applied if the areas will be idle for more than one year.

Planning Considerations

This practice has the potential to drastically reduce the amount of sediment eroded from a construction site. Erosion control efficiencies greater than 90% will be achieved with proper applications of temporary seeding. Because practices used to trap sediment are usually much less effective, temporary seeding is to be used even on areas where runoff is treated by sediment trapping practices. Because temporary seeding is highly effective and practical on construction sites, its liberal use is highly recommended.

Design Criteria

Specifications follow these explanations of important aspects of temporary seeding.

Plant Selection: Select the plants appropriate from the table in the Specifications for Temporary seeding. Choose varieties of tall fescue that are endophyte free or have non-toxic endophytes. Seeding rates for dormant seedings are increased by 50 percent. More information on dormant seedings is given in the permanent seeding section.

The length of time the area will idle and the season in which seeding occurs should influence the selection of seeding species. For areas remaining idle for over a year, a mixture containing perennial ryegrass is recommended. Cereal grains (rye, oats and wheat) are included in some of the mixtures as cover crops. These are annual plants that will die after producing seed. Realize that oats will not over-winter and continue to grow as wheat and rye do.

Site preparation: Temporary seeding is best done on a prepared soil seedbed of loose pulverized soil. However, seedings should not be delayed, if additional grading operations are not possible. At a minimum, remove large rock or debris that will interfere with seeding operations. If the ground has become crusted, a disk or a harrow should be used to loosen the soil. Overall the best soil conditions will exist immediately after grading operations cease, when soils remain loose and moist.

Soil amendments: A soil test is necessary to adequately predict the need for lime and fertilizer. Seedings that are expected to be long lasting (over 1-3 months), should have lime and fertilizer applied as recommended by a soil test. In lieu of a soil test, fertilizer can be broadcast and worked into the top inch of soil at the rate of 6 pounds/1000 ft² or 250 pounds per acre of 10-10-10 or 12-12-12.

Seeding Methods: Seed shall be applied uniformly with a cyclone spreader, drill, culti-packer seeder, or hydroseeder. When feasible, seed that has been broadcast shall be covered by raking or dragging and then lightly tamped into place using a roller or cultipacker. If hydroseeding is used, the seed and fertilizer will be mixed on-site and the seeding shall be done immediately and without interruption.

Maintenance

Areas failing to establish vegetative cover adequate to prevent erosion shall be reseeded as soon as such areas are identified.

Seeding performed during hot and dry summer months shall be watered at a rate of 1 inch per week.

Common Problems / Concerns

- Insufficient topsoil or inadequately tilled, limed, and/ or fertilized seedbed results in poor establishment of vegetation.
- An overly high seeding rate of nurse crop (oat, rye or wheat) in the seed mixture results in over competition with the perennials.
- Seeding outside of seeding dates results in poor vegetation establishment and a decrease in plant hardiness.
- An inadequate rate of mulch results in poor germination and failure.

Specifications for Temporary Seeding

Table 7.8.1 Temporary Seeding Species Selection

Lbs/Ac.	Botanical Name	Common Name		
32	Avena sativa	Seed Oats		125 (1 bushel)
10	Lolium multiflorum	Annual Ryegrass		40
		Perennial Ryegrass		40
		Tall Fescue		40
		Annual Ryegrass		40
		Annual Ryegrass	1.25	55
		Perennial Ryegrass	3.25	142
		Crested Red Fescue	0.4	17
		Kentucky Bluegrass	0.4	17
		Oats	3	125 (1 bushel)
		Tall Fescue	1	40
		Annual Ryegrass	1	40
August 15th 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
		Crested Red Fescue	0.4	40
		Kentucky Bluegrass	0.4	
November 1 to Feb. 20	Use multi-species or dormant seeding			
Notes: 1. Plant species and seed rates are for seed only.				

1. Structural erosion and sediment control practices such as diversions and sediment traps shall be installed and stabilized with temporary seeding prior to grading the rest of the construction site.
2. Temporary seed shall be applied between construction operations on soil that will not be graded or reworked for 21 days or greater. These idle areas shall be seeded within 7 days after grading.
3. The seedbed should be pulverized and loose to ensure the success of establishing vegetation. Temporary seeding should not be postponed if ideal seedbed preparation is not possible.
4. Soil Amendments—Temporary vegetation seeding rates shall establish adequate stands of vegetation, which may require the use of soil amendments. Base rates for lime and fertilizer shall be used.
5. Seeding Method—Seed shall be applied uniformly with a cyclone spreader, drill, cultipacker seeder, or hydroseeder. When feasible, seed that has been broadcast shall be covered by raking or dragging and then lightly tamped into place using a roller or cultipacker. If hydroseeding is used, the seed and fertilizer will be mixed on-site and the seeding shall be done immediately and without interruption.

Specifications
for
Temporary Seeding

Mulching Temporary Seeding

1. Applications of temporary seeding shall include mulch, which shall be applied during or immediately after seeding. Seedings made during optimum seeding dates on favorable, very flat soil conditions may not need mulch to achieve adequate stabilization.
2. Materials:
 - Straw—If straw is used, it shall be unrotted small-grain straw applied at a rate of 2 tons per acre or 90 lbs./ 1,000 sq. ft. (2-3 bales)
 - Hydroseeders—If wood cellulose fiber is used, it shall be used at 2000 lbs./ ac. or 46 lb./ 1,000-sq.-ft.
 - Other—Other acceptable mulches include mulch mattings applied according to manufacturer's recommendations or wood chips applied at 6 ton/ ac.
3. Straw Mulch shall be anchored immediately to minimize loss by wind or water. Anchoring methods:
 - Mechanical—A disk, crimper, or similar type tool shall be set straight to punch or anchor the mulch material into the soil. Straw mechanically anchored shall not be finely chopped but left to a length of approximately 6 inches.
 - Mulch Netting—Netting shall be used according to the manufacturers recommendations. Netting may be necessary to hold mulch in place in areas of concentrated runoff and on critical slopes.
 - Synthetic Binders—Synthetic binders such as Acrylic DLR (Agri-Tac), DCA-70, Petroset, Terra Track or equivalent may be used at rates recommended by the manufacturer.
 - Wood-Cellulose Fiber—Wood-cellulose fiber binder shall be applied at a net dry wt. of 750 lb./ac. The wood-cellulose fiber shall be mixed with water and the mixture shall contain a maximum of 50 lb. / 100 gal.

7.10 Permanent Seeding



Description

Perennial vegetation is established on areas that will not be re-disturbed for periods longer than 12 months. Permanent seeding includes site preparation, seedbed preparation, planting seed, mulching, irrigation and maintenance.

Permanent vegetation is used to stabilize soil, reduce erosion, prevent sediment pollution, reduce runoff by promoting infiltration, and provide stormwater quality benefits offered by dense grass cover.

Conditions Where Practice Applies

Permanent seeding should be applied to:

- Any disturbed areas or portions of construction sites at final grade. Permanent seeding should not be delayed on any one portion of the site at final grade while construction on another portion of the site is being completed. Permanent seeding shall be completed in phases, if necessary.
- Areas subject to grading activities but will remain dormant for a year or more.

Planning Considerations

Vegetation controls erosion by reducing the velocity and the volume of overland flow and protects bare soil surface from raindrop impact. A healthy, dense turf promotes infiltration and reduces the amount of runoff. The establishment of quality vegetation requires selection of the right plant materials for the site, adequate soil amendments, careful seedbed preparation, and maintenance.

Soil Compaction—Storm water quality and the amount of runoff both vary significantly with soil compaction. Non-compacted soils improve stormwater infiltration by promoting:

- dense vegetative growth;
- high soil infiltration & lower runoff rates;
- pollutant filtration, deposition & absorption; and
- beneficial biologic activity in the soil.

Construction activity creates highly compacted soils that restrict water infiltration and root growth. The best time for improving soil condition is during the establishment of permanent vegetation. It is highly recommended that subsoilers, plows, or other implements are specified as part of final seedbed preparation. Use discretion in slip-prone areas.

Minimum Soil Conditions—Vegetation cannot be expected to stabilize soil that is unstable due to its texture, structure, water movement or excessively steep slope. The following minimum soil conditions are needed for the establishment and maintenance of a long-lived vegetative cover. If these conditions cannot be met, see the standards and specifications for Topsoiling.

- Soils must include enough fine-grained material to hold at least a moderate amount of available moisture.
- The soil must be free from material that is toxic or otherwise harmful to plant growth.

Design Criteria

See specifications for permanent seeding below.

Maintenance

1. Expect emergence within 4 to 28 days after seeding, with legumes typically following grasses. Check permanent seedlings within 4 to 6 weeks after planting. Look for:
 - Vigorous seedlings;
 - Uniform ground surface coverage with at least 30% growth density;
 - Uniformity with legumes and grasses well intermixed;
 - Green, not yellow, leaves. Perennials should remain green throughout the summer, at least at the plant bases.
2. Permanent seeding shall not be considered established for at least 1 full year from the time of planting. Inspect the seeding for soil erosion or plant loss during this first year. Repair bare and sparse areas. Fill gullies. Re-fertilize, re-seed, and re-mulch if required. Consider no-till planting. A minimum of 70% growth density, based on a visual inspection, must exist for an adequate permanent vegetative planting.
 - If stand is inadequate or plant cover is patchy, identify the cause of failure and take corrective action: choice of plant materials, lime and fertilizer quantities, poor seedbed preparation, or weather. If vegetation fails to grow, have the soil tested to determine whether pH is in the correct range or nutrient deficiency is a problem.
 - Depending on stand conditions, repair with complete seedbed preparation, then over-seed or re-seed.
 - If it is the wrong time of year to plant desired species, over-seed with small grain cover crop to thicken the stand until timing is right to plant perennials or use temporary seeding. See Temporary Seeding standard.

Specifications for Permanent Seeding

Site Preparation

1. Subsoiler, plow, or other implement shall be used to reduce soil compaction and allow maximum infiltration. (Maximizing infiltration will help control both runoff rate and water quality.) Subsoiling should be done when the soil moisture is low enough to allow the soil to crack or fracture. Subsoiling shall not be done on slip-prone areas where soil preparation should be limited to what is necessary for establishing vegetation.
2. The site shall be graded as needed to permit the use of conventional equipment for seedbed preparation and seeding.
3. Topsoil shall be applied where needed to establish vegetation.

Seedbed Preparation

1. Lime—Agricultural ground limestone shall be applied to acid soil as recommended by a soil test. In lieu of a soil test, lime shall be applied at the rate of 100 pounds per 1,000-sq. ft. or 2 tons per acre.
2. Fertilizer—Fertilizer shall be applied as recommended by a soil test. In place of a soil test, fertilizer shall be applied at a rate of 25 pounds per 1,000-sq. ft. or 1000 pounds per acre of a 10-10-10 or 12-12-12 analyses.
3. The 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. On sloping land, the soil shall be worked on the contour.

Seeding Dates and Soil Conditions

Seeding should be done March 1 to May 31 or August 1 to September 30. If seeding occurs outside of the above-specified dates, additional mulch and irrigation may be required to ensure a minimum of 80% germination. Tillage for seedbed preparation should be done when the soil is dry enough to crumble and not form ribbons when compressed by hand. For winter seeding, see the following section on dormant seeding.

Dormant Seedings

1. Seedings should not be made from October 1 through November 20. During this period, the seeds are likely to germinate but probably will not be able to survive the winter.
2. The following methods may be used for "Dormant Seeding":

- From October 1 through November 20, prepare the seedbed, add the required amounts of lime and fertilizer, then mulch and anchor. After November 20, and before March 15, broadcast the selected seed mixture. Increase the seeding rates by 50% for this type of seeding.
- From November 20 through March 15, when soil conditions permit, prepare the seedbed, lime and fertilize, apply the selected seed mixture, mulch and anchor. Increase the seeding rates by 50% for this type of seeding.
- Apply seed uniformly with a cyclone seeder, drill, cultipacker seeder, or hydro-seeder (slurry may include seed and fertilizer) on a firm, moist seedbed.
- Where feasible, except when a cultipacker type seeder is used, the seedbed should be firmed following seeding operations with a cultipacker, roller, or light drag. On sloping land, seeding operations should be on the contour where feasible.

Mulching

1. Mulch material shall be applied immediately after seeding. Dormant seeding shall be mulched. 100% of the ground surface shall be covered with an approved material.
2. Materials
 - Straw—If straw is used it shall be unrotted small-grain straw applied at the rate of 2 tons per acre or 90 pounds (two to three bales) per 1,000-sq. ft. The mulch shall be spread uniformly by hand or mechanically applied so the soil surface is covered. For uniform distribution of hand-spread mulch, divide area into approximately 1,000-sq.-ft. sections and spread two 45-lb. bales of straw in each section.
 - Hydroseeders—If wood cellulose fiber is used, it shall be applied at 2,000 lb./ac. or 46 lb./1,000 sq. ft.
 - Other—Other acceptable mulches include rolled erosion control matings or blankets applied according to manufacturer's recommendations or wood chips applied at 6 tons per acre.

3. Straw and Mulch Anchoring Methods

Straw mulch shall be anchored immediately to minimize loss by wind or water.

- **Mechanical**—A disk, crimper, or similar type tool shall be set straight to punch or anchor the mulch material into the soil. Straw mechanically anchored shall not be finely chopped but, generally, be left longer than 6 inches.
- **Mulch Netting**—Netting shall be used according to the manufacturer's recommendations. Netting may be necessary to hold mulch in place in areas of concentrated runoff and on critical slopes.
- **Asphalt Emulsion**—Asphalt shall be applied as recommended by the manufacture or at the rate of 160 gallons per acre.

- **Synthetic Binders**—Synthetic binders such as Acrylic DLR (Agri-Tac), DCA-70, Petroset, Terra Tack or equivalent may be used at rates specified by the manufacturer.
- **Wood Cellulose Fiber**—Wood cellulose fiber shall be applied at a net dry weight of 750 pounds per acre. The wood cellulose fiber shall be mixed with water with the mixture containing a maximum of 50 pounds cellulose per 100 gallons of water.

Irrigation

Permanent seeding shall include irrigation to establish vegetation during dry weather or on adverse site conditions, which require adequate moisture for seed germination and plant growth.

Irrigation rates shall be monitored to prevent erosion and damage to seeded areas from excessive runoff.

AEP PERMANENT SEED MIXES

Slope Stability & Natural Corridors Seed Mix

Temporary Matrix		
oz/lac	Grasses	
512	<i>Avena sativa</i>	Seed Oats
160	<i>Lolium multiflorum</i>	Annual Ryegrass
Permanent Matrix		
oz/acre	Grasses	
16	<i>Andropogon gerardii</i>	Big Bluestem
16	<i>Bouteloua curtipendula</i>	Side-Oats Grama
48	<i>Elymus canadensis</i>	Canada Wild Rye
48	<i>Elymus virginicus</i>	Virginia Wild Rye
32	<i>Schizachyrium scoparium</i>	Little Bluestem
16	<i>Sorghastrum nutans</i>	Indian Grass
oz/acre	Forbs	
1	<i>Monarda fistulosa</i>	Bergamot
2	<i>Coreopsis lanceolata</i>	Lanceleaf coreopsis
4	<i>Rudbeckia hirta</i>	Black-eyed Susan
2	<i>Solidago nemoralis</i>	Grey Goldenrod
2	<i>Solidago speciosa</i>	Showy Goldenrod

Lawn Mix – Sun to partial shade

lbs/acre	Grasses	
20	<i>Lolium multiflorum</i>	Annual Ryegrass
100	<i>Poa pratensis</i>	Kentucky Bluegrass
100	<i>Lolium perenne</i>	Perennial Ryegrass

Lawn Mix –Shade

lbs/acre	Grasses	
20	<i>Lolium multiflorum</i>	Annual Ryegrass
100	<i>Poa pratensis</i>	Kentucky Bluegrass
100	<i>Festuca rubra</i>	Creeping Red Fescue

Swale and Retention Area Seed Mix

Temporary Matrix		
oz/lac	Grasses	
512	<i>Avena sativa</i>	Seed Oats
160	<i>Lolium multiflorum</i>	Annual Ryegrass
Permanent Matrix		
oz/acre	Grasses	
8	<i>Carex frankii</i>	Frank's Sedge
2	<i>Eleocharis obtusa</i>	BluntSpike Rush
8	<i>Carex vulpinoidea</i>	Fox Sedge
32	<i>Panicum virgatum</i>	Switchgrass
2	<i>Scirpus acutus</i>	Hard Stem Rush
oz/acre	Forbs	
2	<i>Asclepias incarnata</i>	Swamp milkweed
2	<i>Aster novae-angliae</i>	New England Aster
2	<i>Eupatorium perfoliatum</i>	Boneset
1	<i>Helenium autumnale</i>	Autumn Sneezeweed
2	<i>Monarda fistulosa</i>	Bergamot
2	<i>Ratibida pinnata</i>	Yellow Coneflower
2	<i>Rudbeckia subtomentosa</i>	Sweet Black-Eyed Susan

Farm Lane Area Seed Mix

Temporary Matrix		
oz/lac	Grasses	
512	<i>Avena sativa</i>	Seed Oats
160	<i>Lolium multiflorum</i>	Annual Ryegrass
Permanent Matrix		
oz/acre		
64	<i>Tritolium pratense</i>	Red Clover
32	<i>Tritolium repens</i>	White Clover

7.9 Mulching



Description

A protective layer of mulch, usually of straw, applied to bare soil is used to abate erosion by shielding it from raindrop impact. Mulch also helps establish vegetation by conserving moisture and creating favorable conditions for seeds to germinate.

Conditions Where Practice Applies

Mulch should be used liberally throughout construction to limit the areas that are bare and susceptible to erosion. Mulch can be used in conjunction with seeding to establish vegetation or by itself to provide erosion control when the season does not allow grass to grow. Mulch and other vegetative practices must be applied on all disturbed portions of construction-sites that will not be re-disturbed for more than 21 days.

Design Criteria

See specifications for Mulching.

Maintenance

Additional mulching is necessary to cover exposed soil conditions when observed during routine maintenance inspections.

Common Problems / Concerns

The application of synthetic binders must be conducted in such a manner as to not be introduced into watercourses.

Weather considerations must be addressed to ensure the application of synthetic binders are not washed away and introduced into watercourses.

The use of a mulch cover is not recommended for areas, which will exhibit higher velocities than 3.5 feet/second. An erosion control matting is recommended for areas which will exhibit higher velocities.

Areas which have been mulched should be inspected and maintained if necessary every 7 days or within 24 hours of a rain event greater than or equal to 0.5 inches to ensure adequate protection.

Specifications
for
Mulching

1. Mulch and other appropriate vegetative practices shall be applied to disturbed areas within 7 days of grading if the area is to remain dormant (undisturbed) for more than 21 days or on areas and portions of the site which can be brought to final grade.
2. Mulch shall consist of one of the following:
 - Straw - Straw shall be unrotted small grain straw applied at the rate of 2 tons/ac. or 90 lb./1,000 sq. ft. (two to three bales). The straw mulch shall be spread uniformly by hand or mechanically so the soil surface is covered. For uniform distribution of hand-spread mulch, divide area into approximately 1,000 sq.ft. sections and place two 45-lb. bales of straw in each section.
 - Hydroseeders - Wood cellulose fiber should be used at 2,000 lb./ac. or 46 lb./1,000 sq. ft.
 - Other - Acceptable mulches include mulch mattings and rolled erosion control products applied according to manufacturer's recommendations or wood mulch/chips applied at 10-20 tons/ac.
3. Mulch Anchoring - Mulch shall be anchored immediately to minimize loss by wind or runoff. The following are acceptable methods for anchoring mulch.
 - Mechanical - Use a disk, crimper, or similar type tool set straight to punch or anchor the mulch material into the soil. Straw mechanically anchored shall not be finely chopped but be left generally longer than 6 inches.
 - Mulch Nettings - Use according to the manufacturer's recommendations, following all placement and anchoring requirements. Use in areas of water concentration and steep slopes to hold mulch in place.
 - Synthetic Binders - For straw mulch, synthetic binders such as Acrylic DLR (Agri-Tac), DCA-70, Petroset, Terra Tack or equal may be used at rates recommended by the manufacturer. All applications of Sythetic Binders must be conducted in such a manner where there is no contact with waters of the state.
 - Wood Cellulose Fiber - Wood cellulose fiber may be used for anchoring straw. The fiber binder shall be applied at a net dry weight of 750 lb./acre. The wood cellulose fiber shall be mixed with water and the mixture shall contain a maximum of 50 lb./100 gal. of wood cellulose fiber.

SITE MANAGEMENT MEASURES

Concrete Washout



Concrete washout areas are designated locations within a construction site that are either a prefabricated unit or a designed measure that is constructed to contain concrete washout. Concrete washout systems are typically used to contain washout water when chutes and hoppers are rinsed following delivery.

Purpose

Concrete washout systems are implemented to reduce the discharge of pollutants that are associated with concrete washout waste through consolidation of solids and retention of liquids. Uncured concrete and associated liquids are highly alkaline which may leach into the soil and contaminate ground water or discharge to a waterbody or wetland which can elevate the pH and be harmful to aquatic life. Performing concrete washout in designated areas and into specifically designed systems reduces the impact concrete washout will have on the environment.

Specifications

Site Management

- Complete construction/installation of the system and have washout locations operational prior to concrete delivery.
- Do not wash out concrete trucks or equipment into storm drains, wetlands, streams, rivers, creeks, ditches, or streets.
- Never wash out into a storm sewer drainage system. These systems are typically connected to a natural conveyance system.
- Where necessary, provide stable ingress and egress (see **Temporary Construction Ingress/Egress Pad** on page 17).
- It is recommended that washout systems be restricted to washing concrete from mixer and pump trucks and not used to dispose of excess concrete or

residual loads due to potential to exceed the design capacity of the washout system. Small amounts of excess or residual concrete (not washout water) may be disposed of in areas that will not result in flow to an area that is to be protected.

- Install systems at strategic locations that are convenient and in close proximity to work areas and in sufficient number to accommodate the demand for disposal.
- Install signage identifying the location of concrete washout systems.

Location

- Locate concrete washout systems at least 50 feet from any creeks, wetlands, ditches, karst features, or storm drains/manmade conveyance systems.
- To the extent practical, locate concrete washout systems in relatively flat areas that have established vegetative cover and do not receive runoff from adjacent land areas.
- Locate in areas that provide easy access for concrete trucks and other construction equipment.
- Locate away from other construction traffic to reduce the potential for damage to the system.

General Design Considerations

- The structure or system shall be designed to contain the anticipated washout water associated with construction activities.
- The system shall be designed, to the extent practical, to eliminate runoff from entering the washout system.
- Runoff from a rainstorm or snowmelt should not carry wastes away from the washout location.
- Washout will not impact future land uses (i.e., open spaces, landscaped areas, home sites, parks).
- Washout systems/containment measures may also be utilized on smaller individual building sites. The design and size of the system can be adjusted to accommodate the expected capacity.

Prefabricated Washout Systems/Containers

- Self-contained sturdy containment systems that are delivered to a site and located at strategic locations for concrete disposal.

- These systems are manufactured to resist damage from construction equipment and protect against leaks or spills.
- Manufacturer or supplier provides the containers. The project site manager maintains the system or the supplier provides complete service that includes maintenance and disposal.
- Units are often available with or without ramps. Units with ramps lend themselves to accommodate pump trucks.
- Maintain according to the manufacturer's recommendations.

Designed and Installed Units

These units are designed and installed on site. They tend to be less reliable than prefabricated systems and are often prone to failure. Concrete washout systems can be constructed above or below grade. It is not uncommon to have a system that is partly below grade with an additional containment structure above grade.

- Washout systems shall utilize a pit or bermed area designed and maintained at a capacity to contain all liquid and concrete waste generated by washout operations.
- The volume of the system must also be designed to contain runoff that drains to the system and rainfall that enters the system for a two-year frequency, 24-hour storm event.

■ Below Grade System

- ◆ A washout system installed below grade should be a minimum of ten feet wide by ten feet long, but sized to contain all liquid and waste that is expected to be generated between scheduled cleanout periods. The size of the pit may be limited by the size of polyethylene available. The polyethylene lining should be of adequate size to extend over the entire excavation.
- ◆ Include a minimum 12-inch freeboard to reasonably ensure that the structure will not overtop during a rain event.
- ◆ Line the pit with ten millimeter polyethylene lining to control seepage.
- ◆ The bottom of excavated pit should be above the seasonal high water table.

■ Above Grade System

- ◆ A system designed and built above grade should be a minimum of ten feet wide by ten feet long, but sized to contain all liquid and waste that is expected to be generated between scheduled cleanout periods. The size of the containment system may be limited by the size of

polyethylene available. The polyethylene lining should be of adequate size to extend over the berm or containment system.

- ◆ The system design may utilize an earthen berm, straw bales, sandbags, or other acceptable barriers that will maintain its shape and integrity and support the polyethylene lining.
- ◆ Include a minimum four-inch freeboard as part of the design.

Washout Procedures

- Do not leave excess mud in the chutes or hopper after the pour. Every effort should be made to empty the chutes and hopper at the pour. The less material left in the chutes and hopper, the quicker and easier the cleanout. Small amounts of excess concrete (not washout water) may be disposed of in areas that will not result in flow to an area that is to be protected.
- At the washout location, scrape as much material from the chutes as possible before washing them. Use non-water cleaning methods to minimize the chance for waste to flow off site.
- Remove as much mud as possible when washing out.
- Stop washing out in an area if you observe water running off the designated area or if the containment system is leaking or overflowing and ineffective.
- Do not back flush equipment at the project site. Back flushing should be restricted to the plant as it generates large volumes of waste that more than likely will exceed the capacity of most washout systems. If an emergency arises, back flush should only be performed with the permission of an on-site manager for the project.
- Do not use additives with wash water. Do not use solvents or acids that may be used at the target plant.

Materials

- Minimum of ten millimeter polyethylene sheeting that is free of holes, tears, and other defects. The sheeting selected should be of an appropriate size to fit the washout system without seams or overlap of the lining (**designed and installed systems**).
- Signage.
- Orange safety fencing or equivalent.
- Straw bales, sandbags (bags should be ultraviolet-stabilized geotextile fabric), soil material, or other appropriate materials that can be used to construct a containment system (**above grade systems**).

CONCRETE WASHOUT

- Metal pins or staples at a minimum of six inches in length, sandbags, or alternative fastener to secure polyethylene lining to the containment system.
- Non-collapsing and non-water holding cover for use during rain events (optional).

Installation

Prefabricated Washout Systems/Containers

- Install and locate according to the manufacturer's recommendations.

Designed and Installed Systems

- Utilize and follow the design in the storm water pollution prevention plan to install the system.
- Dependent upon the type of system, either excavate the pit or install the containment system.
- A base shall be constructed and prepared that is free of rocks and other debris that may cause tears or punctures in the polyethylene lining.
- Install the polyethylene lining. For excavated systems, the lining should extend over the entire excavation. The lining for bermed systems should be installed over the pooling area with enough material to extend the lining over the berm or containment system. The lining should be secured with pins, staples, or other fasteners.
- Place flags, safety fencing, or equivalent to provide a barrier to construction equipment and other traffic.
- Place a non-collapsing, non-water holding cover over the washout facility prior to a predicted rainfall event to prevent accumulation of water and possible overflow of the system (optional).
- Install signage that identifies concrete washout areas.
- Post signs directing contractors and suppliers to designated locations.
- Where necessary, provide stable ingress and egress (see **Temporary Construction Ingress/Egress Pad** on page 17) or alternative approach pad for concrete washout systems.

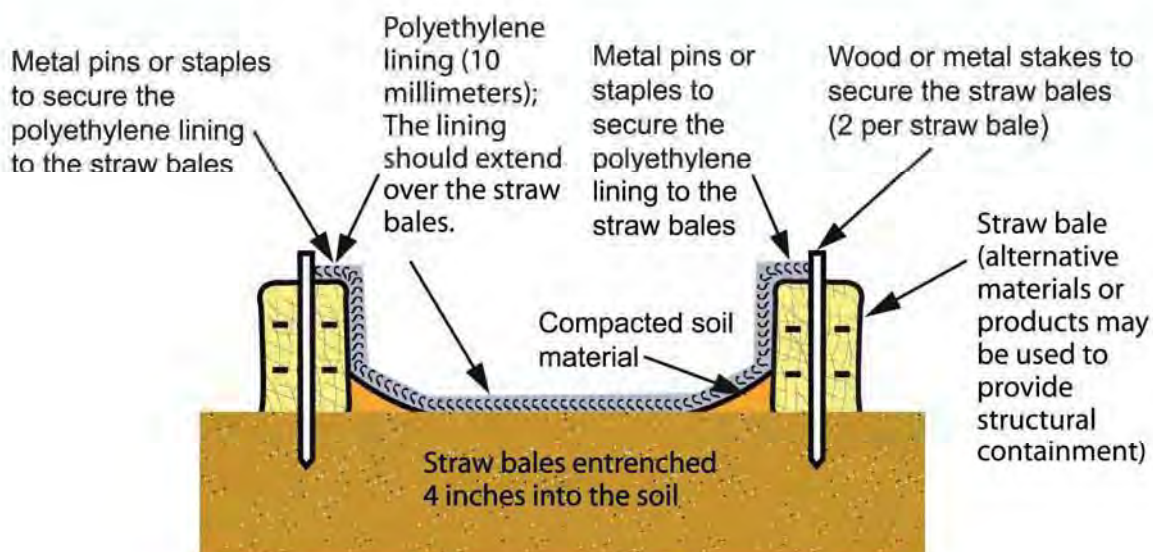
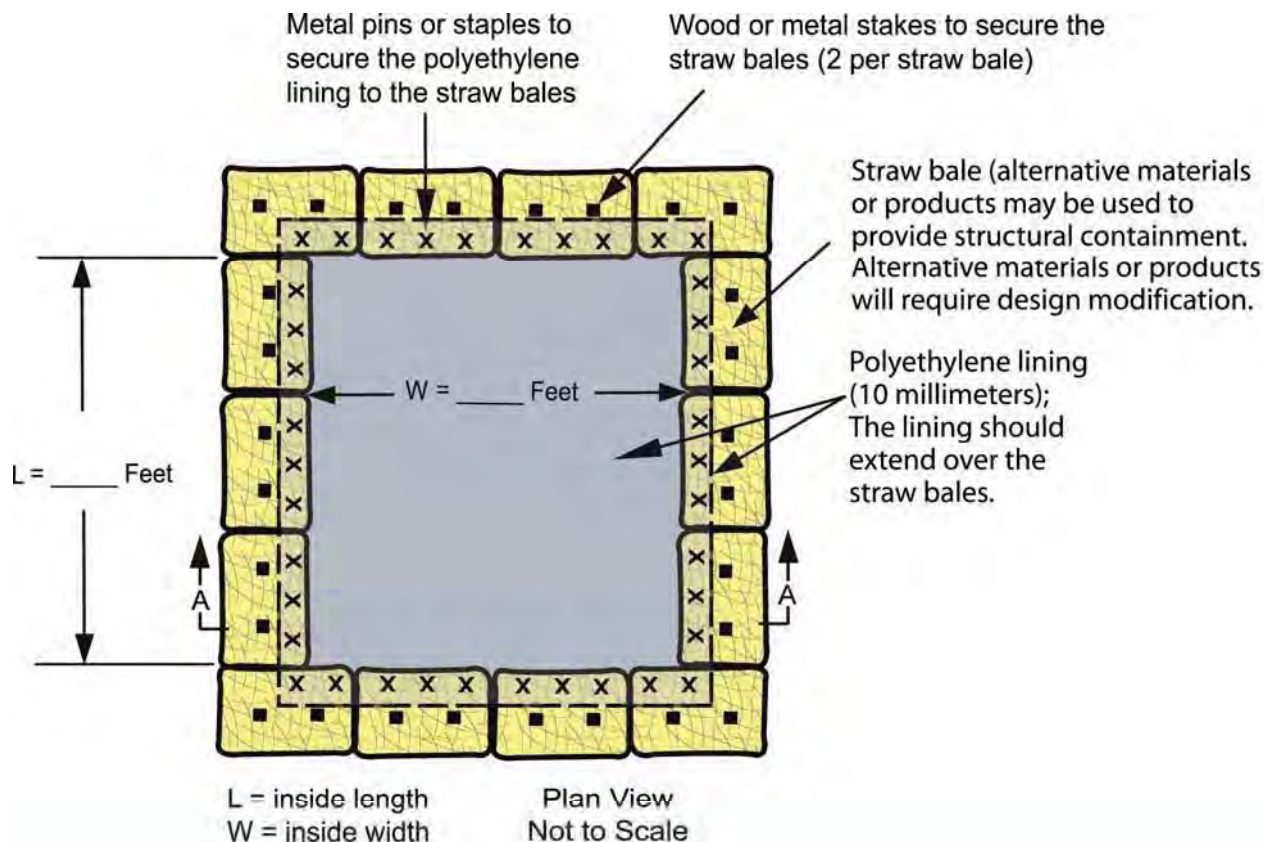
Maintenance

- Inspect daily and after each storm event.
- Inspect the integrity of the overall structure including, where applicable, the containment system.
- Inspect the system for leaks, spills, and tracking of soil by equipment.
- Inspect the polyethylene lining for failure, including tears and punctures.
- Once concrete wastes harden, remove and dispose of the material.
- Excess concrete should be removed when the washout system reaches 50 percent of the design capacity. Use of the system should be discontinued until appropriate measures can be initiated to clean the structure. Prefabricated systems should also utilize this criterion, unless the manufacturer has alternate specifications.
- Upon removal of the solids, inspect the structure. Repair the structure as needed or construct a new system.
- Dispose of all concrete in a legal manner. Reuse the material on site, recycle, or haul the material to an approved construction/demolition landfill site. Recycling of material is encouraged. The waste material can be used for multiple applications including but not limited to roadbeds and building. The availability for recycling should be checked locally.
- The plastic liner should be replaced after every cleaning; the removal of material will usually damage the lining.
- The concrete washout system should be repaired or enlarged as necessary to maintain capacity for concrete waste.
- Concrete washout systems are designed to promote evaporation. However, if the liquids do not evaporate and the system is near capacity it may be necessary to vacuum or remove the liquids and dispose of them in an acceptable method. Disposal may be allowed at the local sanitary sewer authority provided their National Pollutant Discharge Elimination System permits allow for acceptance of this material. Another option would be to utilize a secondary containment system or basin for further dewatering.
- Prefabricated units are often pumped and the company supplying the unit provides this service.
- Inspect construction activities on a regular basis to ensure suppliers, contractors, and others are utilizing designated washout areas. If concrete waste is being disposed of improperly, identify the violators and take appropriate action.

CONCRETE WASHOUT

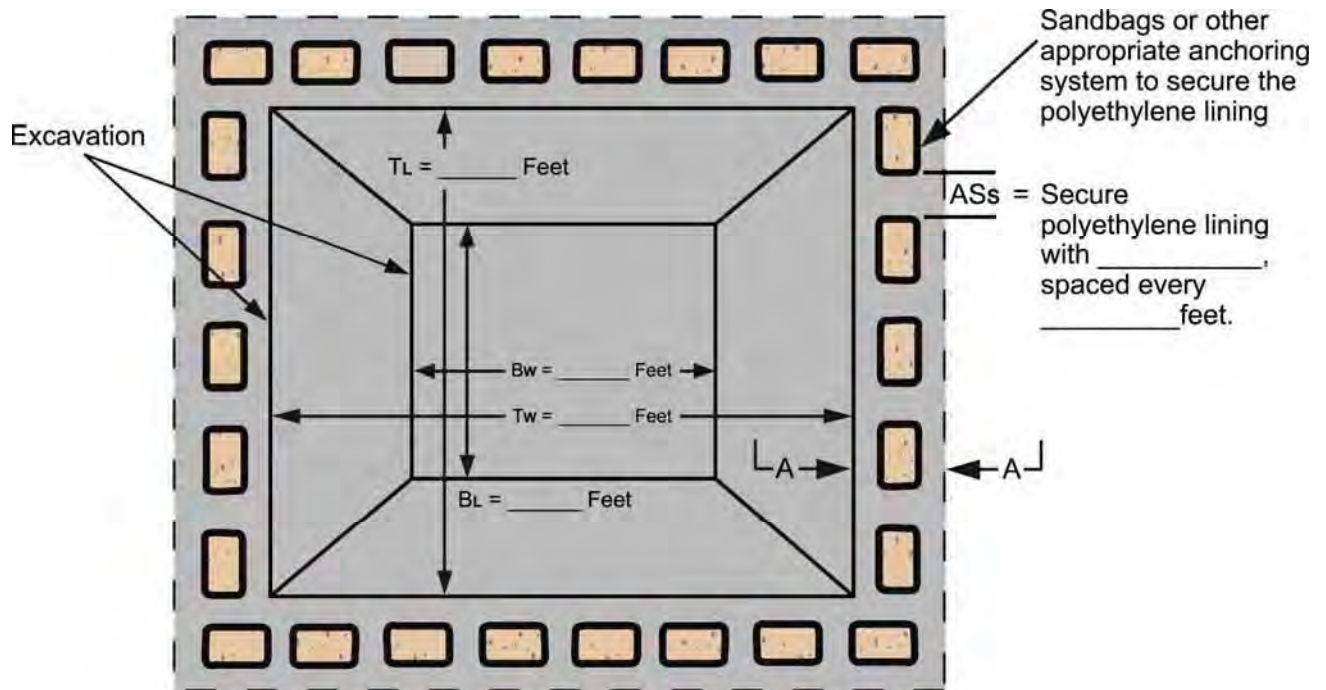
- When concrete washout systems are no longer required, the concrete washout systems shall be closed. Dispose of all hardened concrete and other materials used to construct the system.
- Holes, depressions and other land disturbances associated with the system should be backfilled, graded, and stabilized.

Concrete Washout (Above Grade System) Worksheet

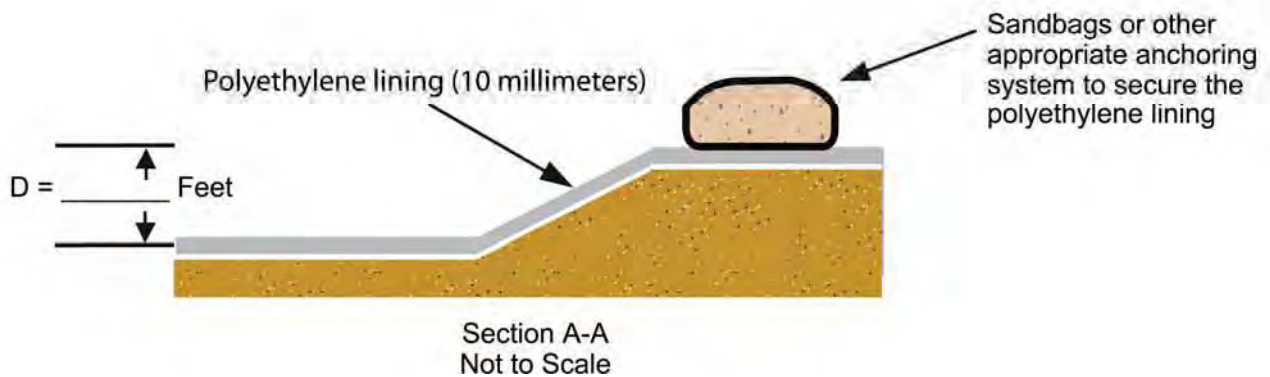


CONCRETE WASHOUT

Concrete Washout (Below Grade System) Worksheet



TL = Top Length of Excavation
 BL = Bottom Length of Excavation
 Tw = Top Width of Excavation
 Bw = Bottom Width of Excavation
 ASs = Anchoring System
 type and spacing



8.1 Additional Construction Site Pollution Controls



Description

Although sediment is the primary pollutant of concern resulting from construction activity, other pollutants need to be considered as well. These include petrochemicals: fuel, oil, and asphalt; and construction chemicals and materials: paints, solvents, fertilizer, soil additives, concrete wash water, etc. Also included are solid wastes and construction debris. Keeping these substances from polluting runoff can be accomplished to a large extent through good housekeeping and following the manufacturer's recommendations for their use and disposal.

Condition Where Practice Applies

Wastes generated by construction activities (i.e. construction materials such as paints, solvents, fuels, concrete, wood, etc.) must be disposed of in accordance with ORC 3734 and ORC 3714. Hazardous and toxic substances are used on virtually all construction-sites. Good management of these substances is always needed.

Planning Considerations

Good erosion and sediment control will prevent some pollutants in addition to sediment from leaving the site; however, pollutants carried in solution or as surface films on runoff water will be carried through most erosion and sediment control practices. These pollutants become nearly impossible to control once carried offsite in runoff. Adding to the problem is the fact that construction wastes, many containing toxic chemicals, are routinely buried on-site, dumped on the ground, poured down a storm drain, or disposed of with construction debris. So while typical erosion and sediment-control practices are important for controlling other pollutants, additional preventative measures are needed.

Reducing pollutants other than sediments depends heavily on construction personnel and how they carry out their operations. To help facilitate this, plans should contain standard notes clearly stating requirements to contractors. It also may be appropriate to include requirements for specific provisions for hazardous materials storage, handling and disposal.

Requirements

1. **Educate Construction Personnel**, including subcontractors who may use or handle hazardous or toxic materials, making them 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

2. Waste disposal containers shall be provided for the proper collection of all waste material including construction debris, sanitary garbage, petroleum products and any hazardous materials to be used on-site. Containers shall be covered and not leaking. All waste material shall be disposed of at facilities approved for that material. Construction Demolition and Debris (CD&D) waste must be disposed of in accordance with ORC 3714 at an approved Ohio EPA CD&D landfill.

3. **No construction related waste materials are to be buried on-site.** By exception, clean fill (bricks, hardened concrete, soil) may be utilized in a way that does not encroach upon natural wetlands, streams or their floodplains. Filling of stream side areas is Fill may not result in the contamination of waters of the state. unless prohibited by local ordinance or zoning.
4. **Construction and Demolition Debris (CD&D) Disposal.** CD&D waste must be disposed of in accordance with ORC 3714 at an approved Ohio EPA CD&D landfill. CD&D waste is defined as all materials attached to a structure, which is being demolished (for materials containing asbestos see Item 12).
5. **Handling 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.

- 6. Equipment Fueling and Maintenance**, oil changing, etc., 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. Secondary containment shall be provided for all fuel oil storage tanks. These areas must be inspected every seven days and within 24 hrs. of a 0.5 inch or greater rain event to ensure there are no exposed materials which would contaminate storm water. Site operators must be aware that Spill Prevention Control and Countermeasures (SPCC) requirements may apply. An SPCC plan is required for sites with one single aboveground tank of 660 gallons or more, accumulative aboveground storage of 1330 gallons or more, or 42,000 gallons of underground storage. Soils that have become contaminated must be disposed of accordance with Item 8 “Contaminated Soils”.
- 7. Concrete Wash Water/Wash Outs.** Concrete wash water shall not be allowed to flow to streams, ditches, storm drains, or any other water conveyance. A sump or pit with no potential for discharge shall be constructed if needed to contain concrete wash water. Field tile or other subsurface drainage structures within 10 ft. of the sump shall be cut and plugged. For small projects, truck chutes may be rinsed on the lot away from any water conveyances.
- 8. Contaminated Soils.** If substances such as oil, diesel fuel, hydraulic fluid, antifreeze, etc. are spilled, leaked, or released onto the soil, the soil should be dug up and disposed of at licensed sanitary landfill or other approved petroleum contaminated soil remediation facility (not a construction/demolition debris landfill). Please be aware that storm water run off associated with contaminated soils are not authorized under Ohio EPA’s General Storm Water Permit associated with Construction Activities. In the event there are large extensive areas of contaminated soils additional measures above and beyond the conditions of Ohio EPA’s General Construction Storm Water Permit will be required. Depending on the extent of contamination, additional treatment and/or collection and disposal may be required. All storm water discharges associated with the contaminated soils must be authorized under an alternate NPDES (National Pollutant Discharge Elimination System) Permit.
- 9. Spill Reporting Requirements:** Spills on pavement shall be absorbed with sawdust, kitty litter or other absorbant material and disposed of with the trash at a licensed sanitary landfill. Hazardous or industrial wastes such as most solvents, gasoline, oil-based paints, and cement curing compounds require special handling. Spills shall be reported to Ohio EPA (1-800-282-9378). Spills of 25 gallons or more of petroleum products shall be reported to Ohio EPA (1-800-282-9378), the local fire department, and the Local Emergency Planning Committee within 30 min. of the discovery of the release. All spills, which result in contact with waters of the state, must be reported to OHIO EPA’s Hotline.
- 10. Open Burning.** No materials may be burned which contain rubber, grease, asphalt, or petroleum products such as tires, cars, autoparts, plastics or plastic coated wire. (See OAC 3745-19) Open burning is not allowed in restricted areas. Restricted areas are defined as: 1) within corporation limits; 2) within 1000 feet outside a municipal corporation having a population of 1000 to 10,000; and 3) a one mile zone outside of a

corporation of 10, 000 or more. Outside a restricted area, no open burning can take place within a 1000 feet of an inhabited building located off the property where the fire is set. Open burning is permissible in a restricted area for the following activities: heating tar, welding and acetylene torches, smudge pots and similar occupational needs, and heating for warmth or outdoor barbeques. Outside of restricted areas, open burning is permissible for landscape wastes (plant material), land-clearing wastes (plant material, with prior written permission from Ohio EPA), and agricultural wastes (material generated by crop, horticultural, or livestock production practices. This includes fence posts and scrap lumber, but not buildings).

- 11. Dust Control/Suppressants.** Dust control is required to prevent nuisance conditions. Dust controls must be used in accordance with the manufacturer's specifications and not be applied in a manner, which would result in a discharge to waters of the state. Isolation distances from bridges, catch basins, and other drainageways must be observed. Application (excluding water) may not occur when precipitation is imminent as noted in the short term forecast. Used oil may not be applied for dust control.
- 12. Other Air Permitting Requirements:** All contractors and sub contractors must be made aware that certain activities associated with construction will require air permits. 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 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.
- 13. Process Waste Water/Leachate Management.** All contractors shall be made aware that Ohio EPA's Construction General Permit only allows the discharge of storm water. Other waste streams/discharges including but not limited to vehicle and/or equipment washing, leachate associated with on-site waste disposal, concrete wash outs, etc are a process wastewater. They are not authorized for discharge under the General Storm Water Permit associated with Construction Activities. All process wastewaters must be collected and properly disposed at an approved disposal facility. In the event there are leachate outbreaks associated with onsite disposal, measures must be taken to isolate this discharge for collection and proper disposal. Investigative measures and corrective actions must be implemented to identify and eliminate the source of all leachate outbreaks.
- 14. Permit To Install (PTI) Requirements:** All contractors and sub contractors must be made aware that a PTI must be submitted and approved by Ohio EPA prior to the construction of all centralized sanitary systems, including sewer extensions, and sewerage systems (except those serving one, two, and three family dwellings) and potable water lines. The issuance of an Ohio EPA Construction General Storm Water Permit does not authorize the installation of any sewerage system where Ohio EPA has not approved a PTI.

Specifications
for

Additional Construction Site Pollution Controls

1. Construction personnel, including subcontractors who may use or handle hazardous or toxic materials, shall be made aware of the following general guidelines regarding disposal and handling of hazardous and construction wastes:
 - 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 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
2. **Containers shall be provided for the proper collection of all waste material including construction debris, trash, petroleum products and any hazardous materials used on-site.** Containers shall be covered and not leaking. All waste material shall be disposed of at facilities approved for that material. Construction Demolition and Debris (CD&D) waste must be disposed of at an Ohio EPA approved CD&D landfill.
3. **No construction related waste materials are to be buried on-site.** By exception, clean fill (bricks, hardened concrete, soil) may be utilized in a way which does not encroach upon natural wetlands, streams or floodplains or result in the contamination of waters of the state.
4. **Handling 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.
5. **Equipment Fueling and Maintenance,** oil changing, etc., 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. Secondary containment shall be provided for all fuel oil storage tanks. These areas must be inspected every seven days and within 24 hrs. of a 0.5 inch or greater rain event to ensure there are no exposed materials which would contaminate storm water. Site operators must be aware that Spill Prevention Control and Countermeasures (SPCC) requirements may apply. An SPCC plan is required for sites with one single above ground tank of 660

gallons or more, accumulative above ground storage of 1330 gallons or more, or 42,000 gallons of underground storage. Contaminated soils must be disposed of in accordance with Item 8.

6. **Concrete Wash Water** shall not be allowed to flow to streams, ditches, storm drains, or any other water conveyance. A sump or pit with no potential for discharge shall be constructed if needed to contain concrete wash water. Field tile or other subsurface drainage structures within 10 ft. of the sump shall be cut and plugged. For small projects, truck chutes may be rinsed away from any water conveyances.
7. **Spill Reporting Requirements:** Spills on pavement shall be absorbed with sawdust or kitty litter and disposed of with the trash at a licensed sanitary landfill. Hazardous or industrial wastes such as most solvents, gasoline, oil-based paints, and cement curing compounds require special handling. Spills shall be reported to Ohio EPA (1-800-282-9378). Spills of 25 gallons or more of petroleum products shall be reported to Ohio EPA, the local fire department, and the Local Emergency Planning Committee within 30 min. of the discovery of the release. All spills which contact waters of the state must be reported to Ohio EPA.
8. **Contaminated Soils.** If substances such as oil, diesel fuel, hydraulic fluid, antifreeze, etc. are spilled, leaked, or released onto the soil, the soil should be dug up and disposed of at licensed sanitary landfill or other approved petroleum contaminated soil remediation facility. (not a construction/demolition debris landfill). Note that storm water run off associated with contaminated soils are not be authorized under Ohio EPA's General Storm Water Permit associated with Construction Activities.
9. **Open Burning.** No materials containing rubber, grease, asphalt, or petroleum products, such as tires, autoparts, plastics or plastic coated wire may be burned (OAC 3745-19). Open burning is not allowed in restricted areas, which are defined as: 1) within corporation limits; 2) within 1000 feet outside a municipal corporation having a population of 1000 to 10,000; and 3) a one mile zone outside of a corporation of 10,000 or more. Outside of restricted areas, no open burning is allowed within a 1000 feet of an inhabited building on another property. Open burning is permissible in a restricted area for: heating tar, welding, smudge pots and similar occupational needs, and heating for warmth or outdoor barbecues. Outside of restricted areas, open burning is permissible for landscape or land-clearing wastes (plant material, with prior written permission from Ohio EPA), and agricultural wastes, excluding buildings.
10. **Dust Control or dust suppressants** shall be used to prevent nuisance conditions, in accordance with the manufacturer's specifications and in a manner, which prevent a discharge to waters of the state. Sufficient distance must be provided between applications and nearby bridges, catch basins, and other waterways. Application (excluding water) may not occur when rain is imminent as noted in the short term forecast. Used oil may not be applied for dust control.
11. **Other Air Permitting Requirements:** Certain activities associated with construction will require air permits including but not limited to: mobile concrete batch plants, mobile asphalt plants, concrete crushers, large generators, etc. These activities will require specific Ohio EPA Air Permits for installation and operation. Operators must seek authorization from the corresponding district of Ohio EPA. For demolition of all

APPENDIX 3

SWP3 Inspection Forms and SWP3 Amendments, Grading, and
Stabilization Log

AEP OHIO TRANSMISSION COMPANY, INC.
LEE EXTENSION 138KV TRANSMISSION LINE PROJECT
STORM WATER POLLUTION PREVENTION PLAN (SWP3) INSPECTION FORM

Date: _____ Inspector's Name/Title: _____

Inspector's Company: _____

Inspector Qualified in accordance with Part VII.BB of Permit: ☐ Yes ☐ No (Document Qualifications in Appendix 3 of SWP3)

Inspection Type: ☐ Weekly (once every seven calendar days)

☐ Storm Event (0.5 inch or greater) Date: _____ Amount: _____ Duration: _____

Rain Event(s) Since Last Inspection:

Date: _____ Amount: _____ Duration: _____	Date: _____ Amount: _____ Duration: _____
Date: _____ Amount: _____ Duration: _____	Date: _____ Amount: _____ Duration: _____

Did any discharges occur during these events? ☐ No ☐ Yes, Location: _____

Current Weather: ☐ Clear ☐ Cloudy ☐ Fog ☐ Rain ☐ Snow ☐ Sleet ☐ High Winds ☐ Other: _____ Temp: _____

Current Discharges: ☐ No ☐ Yes, Location: _____

Evidence of Sediment/Pollutants Leaving the Site? ☐ No ☐ Yes, Location: _____

Has Seeding Taken Place? ☐ No ☐ Yes, Location/Seed tag photo included: _____

Erosion and Sediment Control Features / BMPs Inspected:

☐ **Silt Fence / Filter Sock (Mark which one applies)**

Location(s) (Structure # (STR#)): _____

Properly anchored/installed: ☐ Yes ☐ No Repairs Needed: ☐ Yes ☐ No

Sediment Removal Required (Sediment one-half height for fence & one-third height for sock): ☐ Yes ☐ No

Action Required/Taken/Location(s): _____

☐ **Orange Barrier Fence**

Location(s) (Wetland / Access Road / STR#): _____

Properly anchored/installed: ☐ Yes ☐ No Repairs Needed: ☐ Yes ☐ No

Action Required/Taken/Location(s): _____

☐ **Construction Entrance**

Location(s) (Reference intersection of road and nearest STR#): _____

Entrance Stabilized: ☐ Yes ☐ No Evidence of mud tracked on roadway: ☐ Yes ☐ No

Action Required/Taken/Location(s): _____

☐ **Material Storage Areas (Including waste containers, fuel areas)**

Material Storage Areas located on site and shown on the SWP3: ☐ Yes ☐ No

Materials properly contained and labeled: ☐ Yes ☐ No Evidence of spills or releases: ☐ Yes ☐ No

Action Required/Taken/Location(s): _____

☐ **Concrete Washouts**

Location(s) (Access Road / STR#): _____

Properly installed and located at least 50 feet from wetlands/streams/ditches/storm drains: ☐ Yes ☐ No

Replacement needed (concrete reaches 50 percent of the system): ☐ Yes ☐ No

Action Required/Taken/Location(s): _____

Comments / Additional Control Measures Recommended: _____

If BMP modifications are made, you must update the SWP3 drawings and document changes on the SWP3 amendment log.

Inspector's Signature: _____

Date: _____

**AEP OHIO TRANSMISSION COMPANY, INC.
LEE EXTENSION 138 KV TRANSMISSION LINE PROJECT**

**STORM WATER POLLUTION PREVENTION PLAN
AMENDMENTS, GRADING, AND STABILIZATION LOG**

Date: _____ Inspector's Name/Title: _____

Location and Description of Grading and Stabilization Activities

Amendments to SWP3:

Date: _____ Inspector's Name/Title: _____

Location and Description of Grading and Stabilization Activities

Amendments to SWP3:

Date: _____ Inspector's Name/Title: _____

Location and Description of Grading and Stabilization Activities

Amendments to SWP3:

AEP OHIO TRANSMISSION COMPANY, INC. LEE EXTENSION 138KV TRANSMISSION LINE PROJECT

SUMMARY SWP3 INSPECTION RECORDS – FOR TCRs

I have completed a review of the SWP3 inspections completed on the project for the period of _____ to _____.

The following major observations were made relating to the implementation of the SWP3 and review of the inspection log.

Inspector Qualifications:

- ☐ The inspections were performed by “qualified inspection personnel” knowledgeable in the principles of erosion and sediment control and skilled in assessing the effectiveness of control measures.
- ☐ The inspections were NOT performed by “qualified inspection personnel” knowledgeable in the principles of erosion and sediment control and skilled in assessing the effectiveness of control measures.
- ☐ Corrective Measures were taken on _____ to provide “qualified inspection personnel” at the site.

Permit Compliance Observations:

- ☐ The project was in compliance with the SWP3 and permit during the review period.
- ☐ The project was NOT in compliance with the SWP3 and permit during the review period as noted below:
 - ☐ Non-compliance issues included:

- ☐ Corrective Measures were taken on _____ to correct the above non-compliance issues.

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.

Name: _____

Title: _____

Signature: _____

Date: _____

APPENDIX 4

Duty to Inform Contractors and Subcontractors Signature Form

**AEP OHIO TRANSMISSION COMPANY, INC. LEE EXTENSION 138KV
TRANSMISSION LINE PROJECT**

DUTY TO INFORM CONTRACTORS AND SUBCONTRACTORS SIGNATURE FORM

By signing below, I acknowledge that I have been informed of the terms and conditions of the Ohio Environmental Protection Agency's General NPDES Permit for Storm Water Associated with Construction Activity, and have reviewed and understand the conditions and responsibilities of the Storm Water Pollution Prevention Plan for the AEP Ohio Transmission Company, Inc. Lee Extension 138kV Transmission Line Project. I understand that Inspectors shall meet the qualifications outlined in Part VII.BB. of Ohio EPA Permit No.: OHC000005.

[illegible]

MR 509
Permit No. 10-18171

Office Use Only

State of Ohio
Department of Transportation
Permit

County or Jurisdiction ATH
Rte SR 681
Log Pt 7.4-7.6
Acc Cat

[1] Subject to all terms, conditions, and restrictions printed, written below and on the reverse side hereof, or attached,

Name: AEP Ohio Transmission Company, Inc.
Address: 1 Riverside Plaza Columbus OH 43215
Company Phone: 740-541-0201

is hereby granted a permit under Section 5515.01 and 5515.02 of Ohio Revised Code, and permission to perform work necessary in the manner described and at the location indicated in the following or attached to this permit.

To erect two utility poles with transmission lines and associated equipment along SR 681 at 7.4-7.6 SLM. Minimum vertical clearance as per NESC shall be maintained on all aerial installations. Work performed shall be as shown on plan submitted with application and approved by the Ohio Department of Transportation dated 9/29/2022. All disturbed areas within state right of way must be restored to original condition upon completion of work. There shall be no deviations in this permit without prior approval from the Ohio Department of Transportation.

Description of Work: AEP will be installing aerial transmission lines across SR 681 which will include a utility pole installation on ODOT property outside of road right of way. The attached exhibit will show where the aerial work will be taking place across SR 681 and also show the location of the line and utility pole on ODOT property outside of the right of way.

[2] This permit shall be in the possession of employees /agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Department of Transportation.

Contact ODOT Representative 3 days before work begins, also contact ODOT Representative when work is completed for final inspection.
Failure to notify the ODOT Representative could result in work stoppage!

[3] No work authorized by this permit shall begin until the permittee has contacted and received instructions from

ODOT Representative Scott Sanders
Phone 740-568-4321
Email Address: Scott.sanders@dot.ohio.gov

NOTE: Any work performed by the permittee may be stopped if this requirement is not met.

[4] Prior to any excavation in the highway right-of-way, the Ohio811, <https://www.oups.org/excavators>, must be contacted in accordance with ORC Section 3781.25 to 3781.32. Ohio811 can be reached at 1-800-362-2764 or 811.

[5] If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to mark as described, will result in the Department of Transportation being held harmless and no reimbursement for damage to your property.

[6] All work requiring persons or vehicles within ODOT right of way shall comply with all applicable requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Construction and Material Specifications, latest editions. Failure to comply with these requirements will be cause for immediate revocation or suspension of the permit until the proper traffic control devices have been provided.

[7] The permittee accepts the conditions, terms, and requirements printed, written on, or attached to this permit and understands that failure to comply fully with those conditions, terms, and requirements or any change in the use of the permit inconsistent with its terms and conditions will be considered a violation and cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Department action, up to an including removal of the installation at the permittee's expense.

[8] Performance Bond Required? _____ Yes _____ No Company _____

Effective Date _____ Expiration Date _____ Amount \$ _____

[9] This permit shall be void if the work described herein does not comply with the conditions, terms, and requirements applicable to this permit, and if the work is not completed by 12/31/2023

Dated 09/29/2022

**General Provisions Applicable to All Permits
(Sections 5515.01 and 5515.02 of O.R.C.)**

[1] This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.

[2] The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in state highway rights of way or in the design or operation of the state highway; or in any way abridge the right of the Director of the Department of Transportation in his jurisdiction over state highways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the Director of Transportation to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the Director of Transportation and within the time determined by the Director. Such changes in the state highway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the state highway.

[3] The District Deputy Director acts for and on behalf of the Director in issuing and carrying out the provisions of all permits. The District Deputy Director has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The District Deputy Director, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.

[4] Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the District Deputy Director and, after due notice, fails to correct the problem, the Department of Transportation may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.

[5] The permittee shall indemnify and hold harmless the State of Ohio, Department of Transportation, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.

[6] All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the District Deputy Director shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.

[7] Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the District Office, explaining why the extension is necessary and when the work is expected to be completed.

- [8] All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.
- [9] If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the highway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee . Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.
- [10] Any damage to ODOT or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to ODOT property are needed that cannot be performed by the permittee or permittee's agent or contractor, ODOT shall cause the repairs to be performed at the sole cost of permittee.
- [11] Upon completion of the work, the permittee shall leave the highway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the highway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection Certificate, Form No. MR 678 certifying that the permittee has complied with the terms of the permit.
- [12] Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the highway so as to interfere with the travel over the road.
- [13] All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.
- [14] All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.
- [15] The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.
- [16] The permittee certifies that he or she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.
- [17] The permittee(s) for herself/himself/themselves/itself, her/his/their/its personal representatives, and her/his/their/its successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:
- (1) No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.
 - (2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.

(3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT — Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(4) In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the State of Ohio, Department of Transportation, shall have the unfettered right to terminate the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

This permit is granted subject to the following attached conditions:

(the remainder of this page is left blank intentionally)

District 10 Permit Specifications

The following requirements are valid for all permits issued by ODOT District 10:

1. Specific requirements that supersede the general requirements below will be described on the permit. If there is a conflict between the permit description and a general requirement, the permit description will always take precedence.
2. Any mud or debris that accumulates on the highway as a result of this project (tire tracks, equipment, etc.) is to be removed immediately.
3. There is to be NO parking of equipment, service vehicles, erecting of lights or placing of advertising devices within ODOT right of way and they are also not permitted to overhang the state highway.
4. All work requiring individuals or equipment on the pavement or shoulders shall comply fully with the Ohio Manual of Uniform Traffic Control Devices. Failure to comply with this requirement will be just cause for immediate suspension of this permit until such time as the proper traffic control is in place.
5. Work is not to be performed during inclement weather conditions (ice, snow, fog, heavy rainstorms, etc.). Additionally, work is not to start until one (1) hour after sunrise and is to cease one (1) hour before sunset.
6. The contractor must give property owners a minimum of 24 hours' notice before cutting any driveways and before trenching or cable plowing operations begin. Applicant must also contact OUPS prior to any excavation in state right-of-way.
7. It is the responsibility of the permittee to contact the ODOT Transportation Administrator or Transportation Manager 48 hours prior to starting any work and upon completion of work. Failure to comply with this requirement will be just cause for immediate suspension of this permit.
8. All areas where the vegetation has been disturbed by this installation will be restored within 30 days after completion of work.
9. Any environmental issues existing at this location are to be considered and addressed prior to performing any excavating within the state right-of-way.
10. All public and private property, including highway fence, that is disturbed by the contractor will be repaired to a condition equal to or better than the original condition, including sidewalks and driveways.
11. Permittee is required to call OUPS prior to any excavation within ODOT right of way.

Utility Specifications

- U-1 All underground and aerial facilities shall be placed as close to the right of way line as possible. It shall be the responsibility of the permittee to ensure the construction or placement of any poles will not obstruct the sight distance of any intersection or driveway.

- U-2 All aerial installations will have a minimum vertical clearance which is equal to or greater than that required by the National Electric Safety Code.
- U-3 All poles, anchors and guy wires shall be installed outside of the clear zone and will not be installed in the roadway ditch or the areas between the road and the ditch. Poles removed for replacement shall be removed in their entirety and holes backfilled.
- U-4 If installation is within 10ft of an existing strain pole, permanent or temporary anchoring may be required. The permittee shall notify the District 10 Traffic Department three working days prior to the installation within the area of the strain pole.
- U-5 If installation is within 10 feet of an existing strain pole, permanent or temporary anchoring may be required. The permittee shall notify the District 10
- U-6 Lines must either be bored / drilled / trenched, there will be no open cutting of pavement and they will not be permitted to be installed in culverts. The length of the bore shall be the width of the right-of-way on each side of the roadway, unless otherwise noted on the accepted permit.
- U-7 All lines shall be installed a minimum of 4 feet below any highway or ditch bottom.
- Lines are not to be installed in the areas between the road and the ditch or in the ditch lines.
 - Fire hydrants and valves are prohibited from being placed in the flow line of the ditch.
 - Tracer tape shall be installed and placed 1 foot above the proposed conduit and shall extend the full length of the work.
 - ODOT reserves the right to require casing.
 - Permanent location markers are to be placed on both sides of the roadway. Markers shall list contact information for the utility company, and they are to be located outside of the clear zone.
- U-8 Bore pits / excavation areas shall be located as close to the right of way line as possible and shall not be left open overnight or anytime work is not being performed.
- When the bore opening under the pavement exceeds by 2 inches the outside diameter of the pipe installed, the opening around the pipe shall be filled with grout in a manner suitable to the Ohio Department of Transportation.
 - All backfill shall be performed in accordance with the provisions set forth under Construction Specifications Item 602 and piling of earth over trench for future settlement will not be permitted. Backfilling shall follow completion of all work as closely as possible each day. ODOT reserves the right to request item 613 Low Strength Mortar Backfill.
- U-9 If equipment, vehicles, trench boxes, and material are stored or parked on highway right-of-way, locate them no less than 6 feet behind existing guardrail or no less than 30 feet from the edge of pavement. At night if any such material or equipment are stored within ODOT right of way (less than 30ft from the edge of pavement) they must have prior approval from the ODOT Design Engineer.
- U-10 **This requirement is for Gas Companies that are defined as a “public utility” by providing natural gas to the general public -** A gas pipeline or any size or pressure and made of any material (steel, iron, plastic, etc.), generally, will not need to be cased but the company must certify it meets all rules, regulations and pipeline inspection criteria contained in 49CFR192 and / or 49CFR195. If the pipeline installation is a crossing under an interstate or an interstate look-alike and is less than 12 feet in depth, the company must provide certification that the pipe design meets the “Class 4” requirements of 49CFR192, which establishes the thickness of pipe. If the installation depth is 12 feet or more, the company must meet the “Class 3” design requirements. All other “Class Thickness” requirements associated with longitudinal and crossing installations will be based on the location description outlined in the Federal Code. If the District has concerns about the physical location of a crossing installation, the “Class Thickness” can be established which meets the District’s concerns. In addition, if the pipeline installation will

be located within any fill material around Mechanically Stabilized Earth (MSE) Walls or within two feet of any structure foundation (i.e. bridges, culverts, etc.), the pipeline must be encased. All other installation requirements, as outlined on the Permit or defined in the Department's Utility Manual, must be met.

Utility Specifications (cont'd)

- U-11 **This requirement is for Oil and Gas Companies or Interstate / Intrastate Companies** - This gas and/or petroleum pipeline installation must meet all rules, regulations and pipeline inspection criteria contained in 49 CFR 192 and/or 49 CFR 195. If the pipeline installation is a crossing under an interstate or interstate look-alike, the pipeline design must meet the "Class 4" requirements of 49 CFR 192. The company's design plans of the pipeline installation must be certified as meeting 49 CFR 192 and/or 49 CFR 195 regulations with a Registered Engineer's review stamp and signature. Those design calculations must then be reviewed, stamped and signed by a second Registered Engineer that is either employed by the pipeline owner or is from an independent engineering firm. In addition, if the pipeline installation will be located within any fill material around Mechanically Stabilized Earth (MSE) Walls or within two feet of any structure foundation (i.e. bridges, culverts, etc.), the pipeline must be encased. All other installation requirements, as outlined in the Department's Utility Manual, must be met.
- U-12 Private drainage outlets, such as field tiles, disturbed by this operation shall be restored to working order to the satisfaction of the owner.
- U-13 If installation is within 10ft of an existing strain pole, permanent or temporary anchoring may be required. The permittee shall notify the District 10 Traffic Department three working days prior to the installation within the area of the strain pole.
- U-14 Stop signs shall not be disturbed, and if it becomes necessary to remove a stop sign, a portable stop sign shall be erected before the permanent sign is removed. The permanent sign shall be re-erected immediately after the installation is completed. All ODOT guide signs shall be re-erected the same day as they were removed.
- U-15 When removing monitoring wells, all components must be removed and excavated materials are not to be piles on the pavement, along the berm / shoulder or in the ditch line. Upon removal of the well, the hole shall be filled level to the surrounding ground elevation.
- U-16
If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to do so will result in no reimbursement for damage to your property.

Additional Specifications

- No equipment shall be left in the clear zone during non working hours. Clear zone widths are to be calculated as per Section 600 of the Location and Design Manual Volume 1.
- No sending, receiving or connection pit shall be left open/unprotected overnight if located with ODOT's right-of-way. If these pits are outside the clear zone they can be covered with

plywood or fenced off with construction fencing. If these pits are within the clear zone and cannot be filled before work stops for the day, they shall be protected with barrier or plated with steel plates.

- All disturbed ground shall be seeded and mulched.
- Equip all project motor vehicles with photo strobe lights, LED warning lights, or rotating beacons meeting Class 1 specifications for color and intensity as defined by the Society of Automotive Engineers (SAE). Photo strobe lights, LED warning lights, or rotating beacons shall be horizontally visible from all directions (360 degrees) at a distance of 100 feet minimum. In order to ensure this visibility, the light shall in no way be obstructed from view by any signs or appurtenances on the vehicle. Activate the photo strobe lights, LED warning lights, or rotating beacons and all hazard lights anytime the vehicle is entering, exiting or operating in a traveled lane at a speed less than the posted speed within the limits of the work zone or parked within the clear zone, within the work zone or one mile of either end of the work zone.
- As built drawings will be required upon completion of the project.

LEGEND

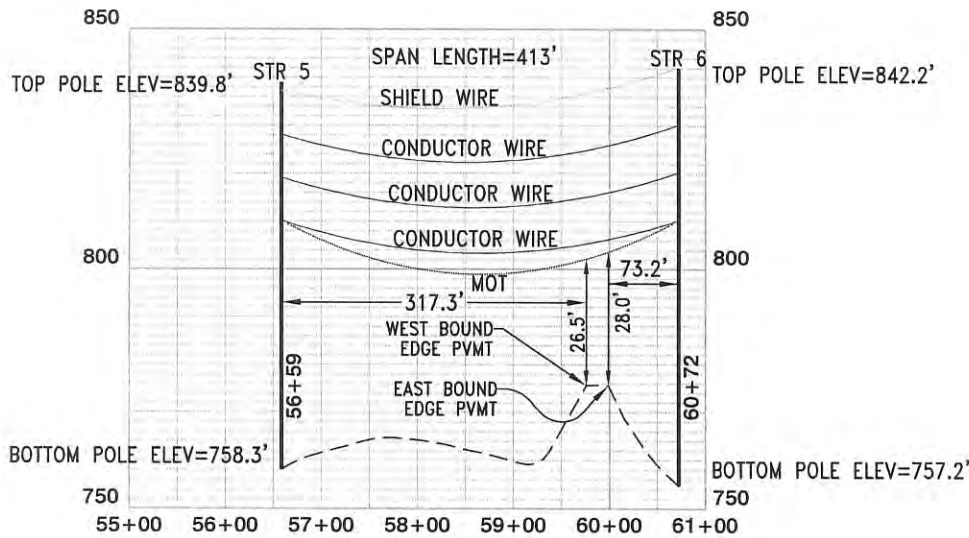
- AEP POWER POLE
- AEP CENTERLINE
- CENTERLINE ST RT #681
- - - EXISTING GROUND
- - - PROPOSED POWER LINE RW
- P — PROPERTY LINE
- MOT MAXIMUM OPERATING TEMPERATURE

POLE CONFIGURATIONS

STR 5

STR 6

CONDUCTOR: DRAKE ACSR 795KCMIL 26/7 (3 CONDUCTORS) 138kv OPERATION & DESIGN
ABC TOP TO BOTTOM PHASING
SHIELD WIRE: 7#8 ALUMOWELD
NO GUYED STRUCTURES ON THIS LINE



PROFILE

HORIZONTAL SCALE: 1" = 200'
VERTICAL SCALE: 1" = 40'

ADJACENT SPAN LENGTH
BETWEEN STR 4 & STR 5=497.6±'

ADJACENT SPAN LENGTH
BETWEEN STR 6 & STR 7=477.9±'

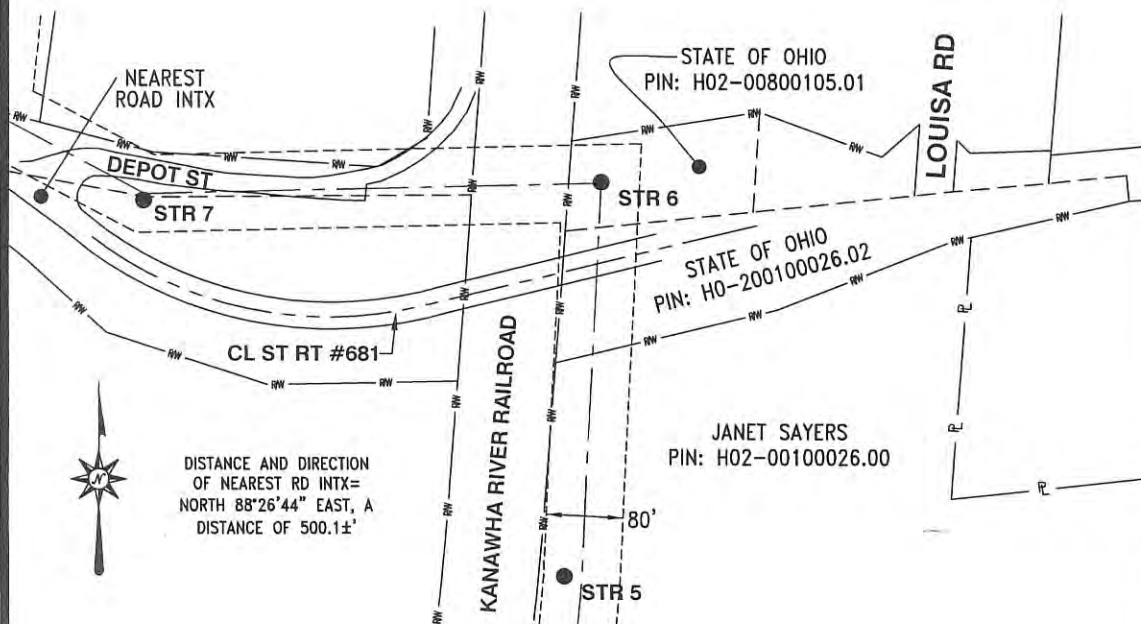
POLE DETAILS

STRUCTURE #5

GROUND ELEV=758.3
TOP POLE ELEV=839.8
GALVANIZED STEEL
(81.5' ABOVE GROUND)
LATITUDE: 39.22122883
LONGITUDE: -82.19473412

STRUCTURE #6

GROUND ELEV=757.2
TOP POLE ELEV=842.2
GALVANIZED STEEL
(85' ABOVE GROUND)
LATITUDE: 39.22235298
LONGITUDE: -82.19459282



PLAN

HORIZONTAL SCALE: 1" = 200'

NOTES

HORIZONTAL DATUM: OHIO STATE
PLANE COORDINATE SYSTEM
(NAD83); VERTICAL DATUM:
NAVD88. ALL LATITUDE AND
LONGITUDE VALUES ARE NAD83
(DECIMAL DEGREES).

EXLINE SURVEYING, INC.

10356 State Route 139
Jackson, Ohio 45640
Fax: (740) 286-0012
Phone: (740) 286-7024

AMERICAN
ELECTRIC
POWER

LOCATED IN VILLAGE OF ALBANY
SECTION #2, T-#10, R-#15,
LEE TOWNSHIP,
ATHENS COUNTY,
STATE OF OHIO

OHIO POWER COMPANY

LEE EXTENSION TRANSMISSION LINE
138Kv Design & Operation
STATE ROUTE #681 CROSSING EXHIBIT

DATE: 9-15-2022

FILE ID: 20091B
ODOT EXHIBIT

SCALE: AS NOTED

SHEET: 1 OF 1

LEGEND

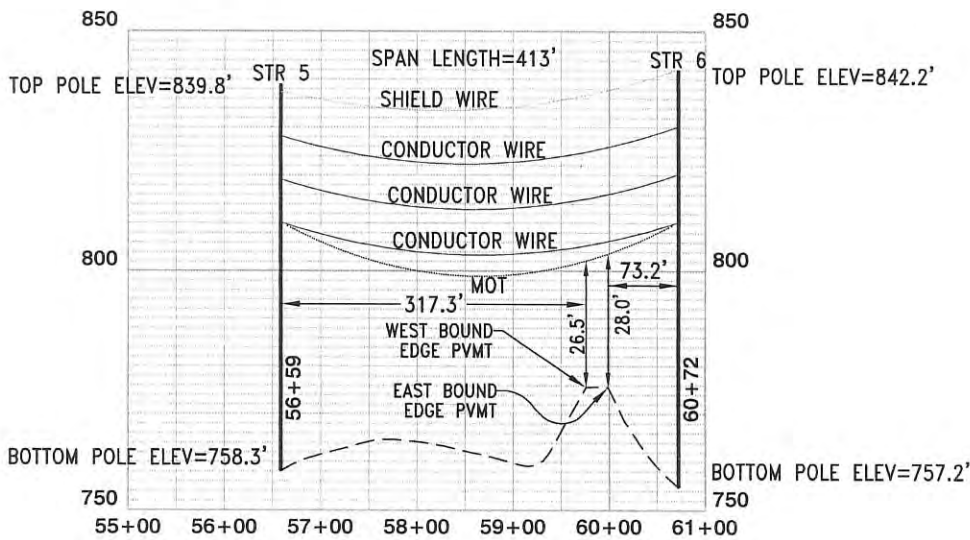
- AEP POWER POLE
- AEP CENTERLINE
- CENTERLINE ST RT #681
- - - EXISTING GROUND
- - - PROPOSED POWER LINE RW
- P — PROPERTY LINE
- MOT MAXIMUM OPERATING TEMPERATURE

POLE CONFIGURATIONS

STR 5

STR 6

CONDUCTOR: DRAKE ACSR 795KCMIL 26/7 (3 CONDUCTORS) 138Kv OPERATION & DESIGN
ABC TOP TO BOTTOM PHASING
SHIELD WIRE: 7#8 ALUMOWELD
NO GUYED STRUCTURES ON THIS LINE



PROFILE

HORIZONTAL SCALE: 1" = 200'
VERTICAL SCALE: 1" = 40'

ADJACENT SPAN LENGTH
BETWEEN STR 4 & STR 5=497.6±'

ADJACENT SPAN LENGTH
BETWEEN STR 6 & STR 7=477.9±'

POLE DETAILS

STRUCTURE #5

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STRUCTURE #6

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TOP POLE ELEV=842.2
GALVANIZED STEEL
(85' ABOVE GROUND)
LATITUDE: 39.22235298
LONGITUDE: -82.19459282



PLAN

HORIZONTAL SCALE: 1" = 200'

NOTES

HORIZONTAL DATUM: OHIO STATE
PLANE COORDINATE SYSTEM
(NAD83); VERTICAL DATUM:
NAVD88. ALL LATITUDE AND
LONGITUDE VALUES ARE NAD83
(DECIMAL DEGREES).

EXLINE SURVEYING, INC.

10356 State Route 139
Jackson, Ohio 45640
Fax: (740) 286-0012
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LOCATED IN VILLAGE OF ALBANY
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LEE EXTENSION TRANSMISSION LINE
138Kv Design & Operation
STATE ROUTE #681 CROSSING EXHIBIT

DATE: 9-15-2022

FILE ID: 20091B
ODOT EXHIBIT

SCALE: AS NOTED

SHEET: 1 OF 1



Notes for Figure 6H-1—Typical Application 1 Work Beyond the Shoulder

Guidance:

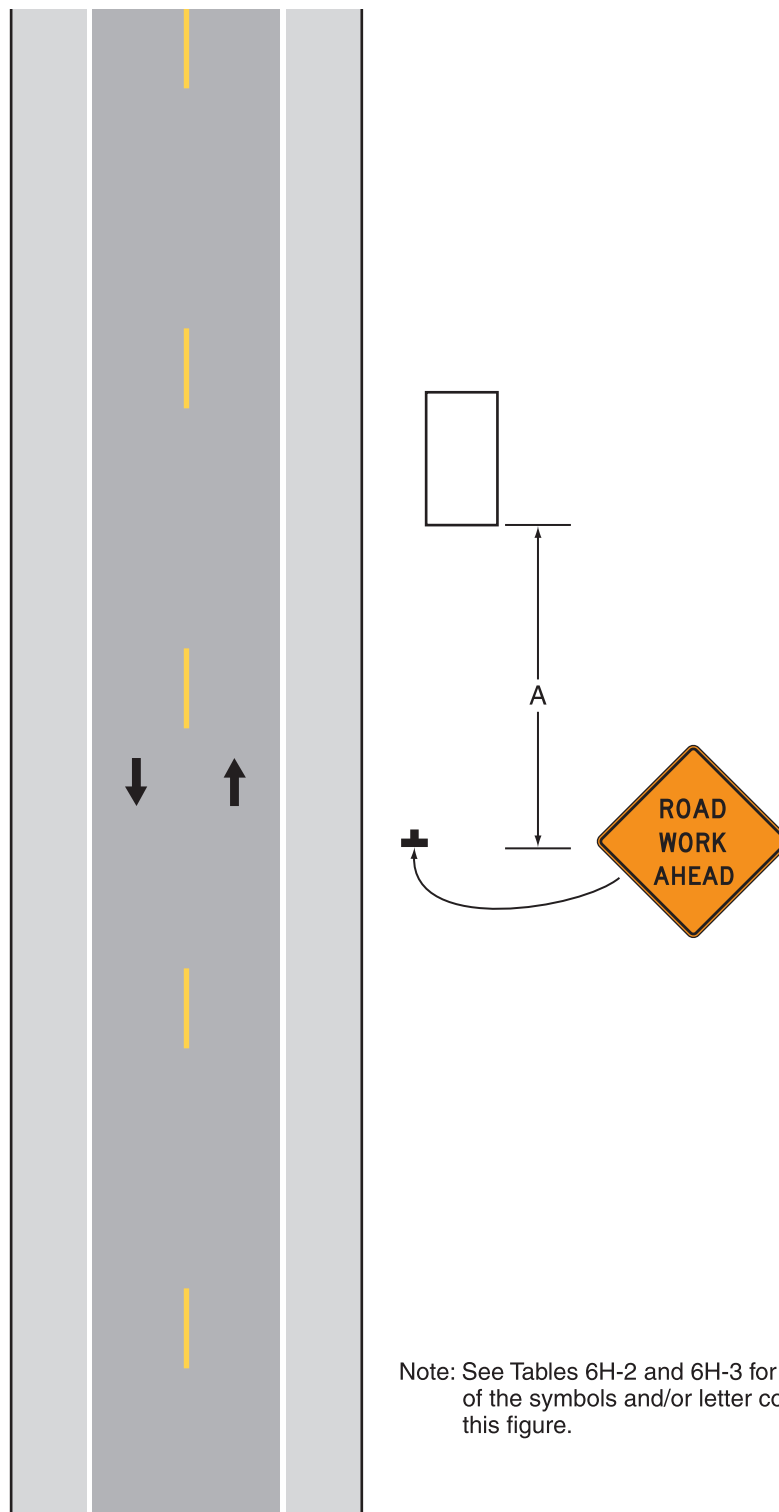
1. *If the work space is in the median of a divided highway, an advance warning sign should also be placed on the left side of the directional roadway.*

Option:

2. The ROAD WORK AHEAD sign may be replaced with other appropriate signs such as the SHOULDER WORK sign. The SHOULDER WORK sign may be used for work adjacent to the shoulder.
3. The ROAD WORK AHEAD sign may be omitted where the work space is behind a barrier, more than 24 inches behind the curb, or 15 feet or more from the edge of any roadway.
4. For short-term, short duration or mobile operation, all signs and channelizing devices may be eliminated if a vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
5. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

6. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**

Figure 6H-1. Work Beyond the Shoulder (TA-1)**Typical Application 1**

Notes for Figure 6H-6—Typical Application 6 Shoulder Work with Minor Encroachment

Guidance:

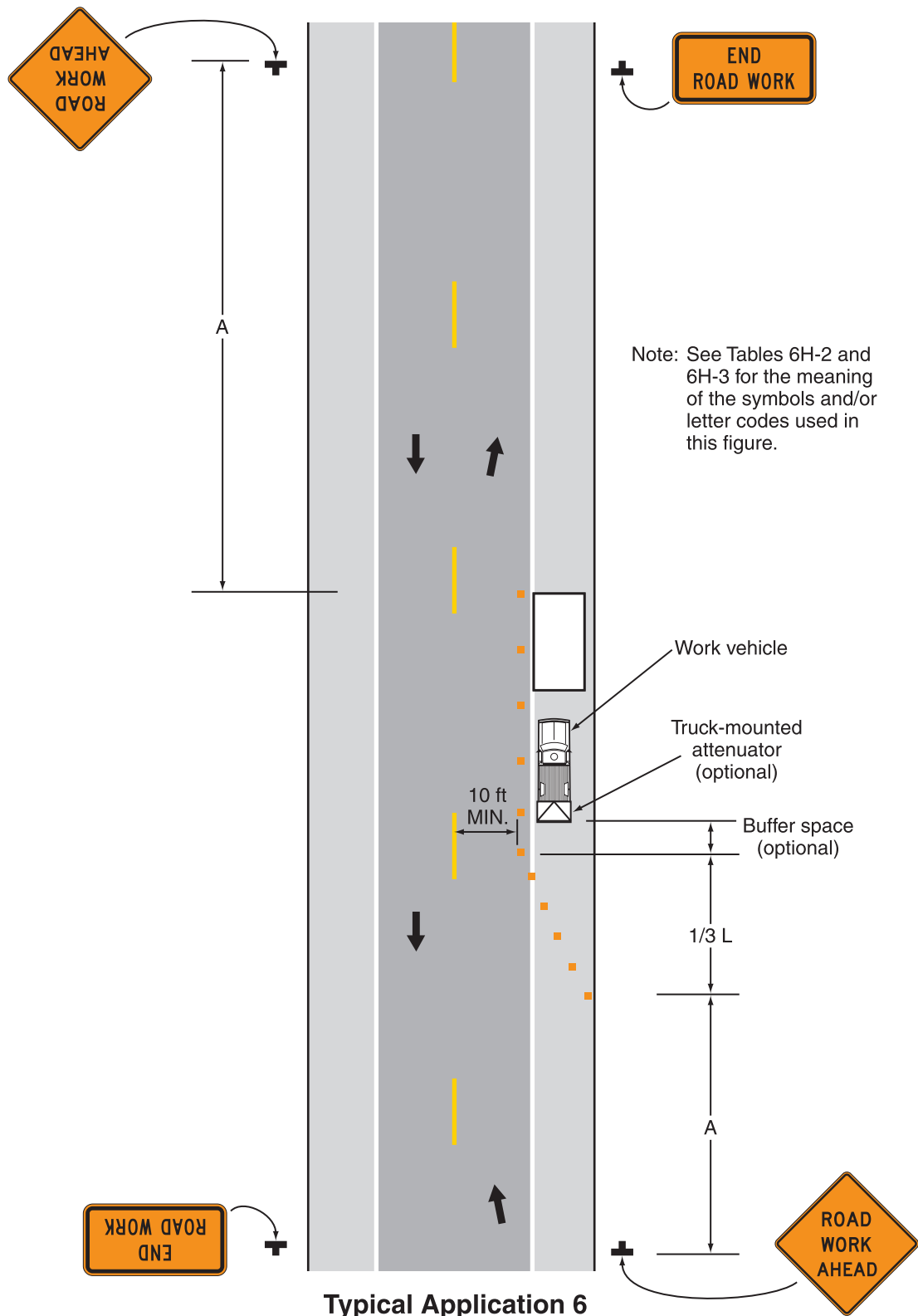
1. *All lanes should be a minimum of 10 feet in width as measured to the near face of the channelizing devices.*
2. *The treatment shown should be used on a minor road having low speeds. For higher-speed traffic conditions, a lane closure should be used.*

Option:

3. For short-term use on low-volume, low-speed roadways with vehicular traffic that does not include longer and wider heavy commercial vehicles, a minimum lane width of 9 feet may be used.
4. Where the opposite shoulder is suitable for carrying vehicular traffic and of adequate width, lanes may be shifted by use of closely-spaced channelizing devices, provided that the minimum lane width of 10 feet is maintained.
5. Additional advance warning may be appropriate, such as a ROAD NARROWS sign.
6. Temporary traffic barriers may be used along the work space.
7. The shadow vehicle may be omitted if a taper and channelizing devices are used.
8. A truck-mounted attenuator may be used on the shadow vehicle.
9. For short-duration work, the taper and channelizing devices may be omitted if a shadow vehicle with activated high-intensity rotating, flashing, oscillating, or strobe lights is used.
10. Vehicle hazard warning signals may be used to supplement high-intensity rotating, flashing, oscillating, or strobe lights.

Standard:

11. **Vehicle-mounted signs shall be mounted in a manner such that they are not obscured by equipment or supplies. Sign legends on vehicle-mounted signs shall be covered or turned from view when work is not in progress.**
12. **Shadow and work vehicles shall display high-intensity rotating, flashing, oscillating, or strobe lights.**
13. **Vehicle hazard warning signals shall not be used instead of the vehicle's high-intensity rotating, flashing, oscillating, or strobe lights.**

Figure 6H-6. Shoulder Work with Minor Encroachment (TA-6)

Notes for Figure 6H-10—Typical Application 10

Lane Closure on a Two-Lane Road Using Flaggers

Option:

1. For low-volume situations with short work zones on straight roadways where the flagger is visible to road users approaching from both directions, a single flagger, positioned to be visible to road users approaching from both directions, may be used (see Chapter 6E).
2. The ROAD WORK AHEAD and the END ROAD WORK signs may be omitted for short-duration operations.
3. Flashing warning lights and/or flags may be used to call attention to the advance warning signs. A BE PREPARED TO STOP sign may be added to the sign series.

Guidance:

4. *The buffer space should be extended so that the two-way traffic taper is placed before a horizontal (or crest vertical) curve to provide adequate sight distance for the flagger and a queue of stopped vehicles.*

Standard:

5. **At night, flagger stations shall be illuminated, except in emergencies.**

Guidance:

6. *When used, the BE PREPARED TO STOP sign should be located between the Flagger sign and the ONE LANE ROAD sign.*
7. *When a grade crossing exists within or upstream of the transition area and it is anticipated that queues resulting from the lane closure might extend through the grade crossing, the TTC zone should be extended so that the transition area precedes the grade crossing.*
8. *When a grade crossing equipped with active warning devices exists within the activity area, provisions should be made for keeping flaggers informed as to the activation status of these warning devices.*
9. *When a grade crossing exists within the activity area, drivers operating on the left-hand side of the normal center line should be provided with comparable warning devices as for drivers operating on the right-hand side of the normal center line.*
10. *Early coordination with the railroad company or light rail transit agency should occur before work starts.*

Option:

11. A flagger or a uniformed law enforcement officer may be used at the grade crossing to minimize the probability that vehicles are stopped within 15 feet of the grade crossing, measured from both sides of the outside rails.

Figure 6H-10. Lane Closure on a Two-Lane Road Using Flaggers (TA-10)

Note: See Tables 6H-2 and 6H-3 for the meaning of the symbols and/or letter codes used in this figure.

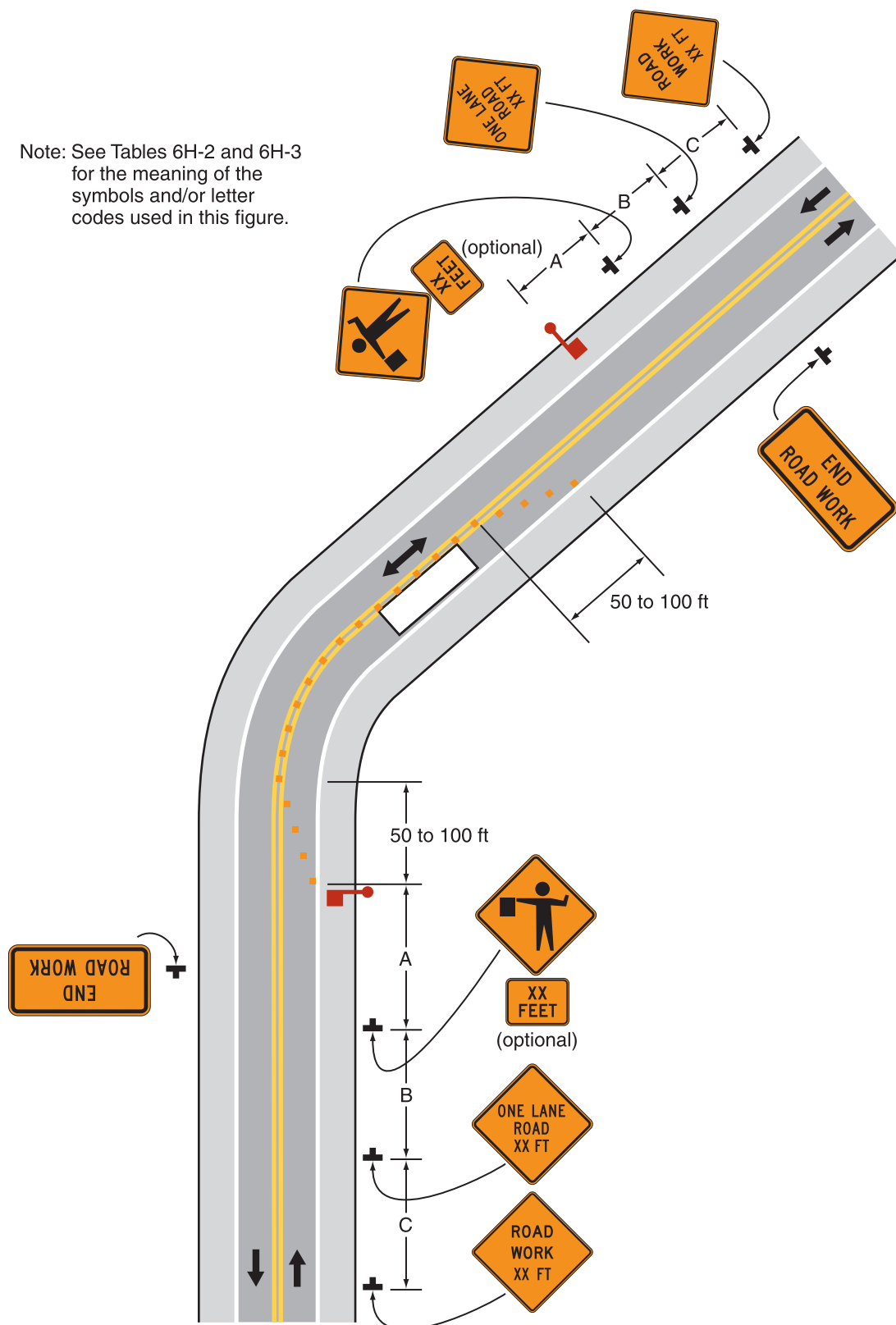
**Typical Application 10**

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Exhibit A- Form of Application

Exhibit B – Norfolk Southern Standard Plan SP-1621: Clearance Requirements for Cable and Wire Crossings

Exhibit C – Fee Schedule

Exhibit D – NSR-Related Companies

Exhibit E – AEP-Related Companies

Exhibit F – Memorandum of Crossing

Exhibit G – Existing License Agreements to be Converted

Exhibit H – Supplemental Letter

MASTER CROSSING AGREEMENT

THIS MASTER CROSSING AGREEMENT (this "Agreement"), dated as of the ____ day of _____, 2018 (the "Effective Date") is made and entered into by and among

NORFOLK SOUTHERN RAILWAY COMPANY ("NSR"), a Virginia corporation, whose mailing address is Three Commercial Place, Norfolk, Virginia, 23510, on its own behalf and also on behalf of and agent for the NSR-related entities listed on Exhibit D, attached hereto and made a party hereof (NSR and the listed NSR-related companies being hereinafter called "Railway"), and

AMERICAN ELECTRIC POWER SERVICE CORPORATION ("AEP"), a New York corporation, whose mailing address is 1 Riverside Plaza, Columbus, Ohio 43215, as agent for any of the AEP-family of related entities listed on Exhibit E, attached hereto and made a party hereof (hereinafter called "Licensee").

WHEREAS, Licensee proposes to install, maintain, operate and remove Crossings over, under and across the property of Railway (or one of its subsidiaries) for electric transmission, distribution and service wires, cables and conduits, voice/data transmission and other communications facilities used for Licensee's internal communications, together with related cables, poles, supports, anchors, guys and appurtenant facilities associated therewith; and

WHEREAS, Railway, or its predecessors, entered into separate license agreements with Licensee or its predecessors to permit the construction, installation, maintenance, and use of Crossings (collectively the "Existing License Agreements") over, across, along, or under the right-of-way or land of Railway; and

WHEREAS, Railway and Licensee desire to convert a number of the Existing License Agreements to fall under the terms and conditions of this Agreement in accordance with Section 3;

WHEREAS, Railway and Licensee desire to provide for the Crossings on the terms and conditions hereinafter set forth.

NOW, THEREFORE, for and in consideration of the Crossings and the mutual agreements contained herein, Railway and Licensee do hereby covenant and agree as follows:

1. Term: Subject to the provisions of Paragraph 26 regarding the continued operation of Facilities after termination or expiration, the term of this Agreement (the "Term") shall commence on the Effective Date and shall expire on the twenty (20th) year anniversary of the Effective Date.

Thereafter, provided (i) that no default hereunder exists on the part Licensee as of effective date of such renewal and (ii) unless otherwise terminated as provided herein, this Agreement shall automatically, continue for successive periods of three (3) years each Renewal

Term;. Either party may terminate this Agreement prior to the end of the first twenty-year Term or any three (3) year Renewal Term by giving the other party written notice thereof at least ninety (90) days prior to the end of the applicable Term; but such termination shall apply only to the right to make future placements hereunder and shall not affect the provisions of Paragraph 26 of this Agreement with respect to any Crossings applied for, approved, constructed or existing prior to said expiration or termination.

2. Definition of Crossings: As used herein, the term "Crossings" shall mean the location at which electric power transmission and distribution facilities consisting of:

- (a) Above ground conduits, wires and other appurtenant materials, equipment and facilities (but excluding all surface installations other than supporting towers, poles, guys, anchors and manholes), which are used by Licensee to furnish electricity and communications services for Licensee's uses; and/or
- (b) Buried casing, wires and/or cables (but together no more than one casing with one spare casing per crossing, with a maximum of three phases, and one communications conduit per location) and other appurtenant materials, equipment and facilities (but excluding all surface installations other than supporting towers, poles, guys, anchors and manholes), which are used by Licensee to furnish electricity and communications services for Licensee's uses.

located in, on, or through the rights-of-way of, and under or over the tracks of Railway (i) which are applied for after the Effective Date (be they Private Crossings or Public Crossings), or (ii) are Private Crossings that exist as of the Effective Date without documentation in Licensee's or Railway's files of notice to Railway of the crossing and are made a part of this Agreement pursuant to the procedures set forth in Paragraph 6 hereof (including payment of the Conversion Price); in other words, are not a Private Crossing which is an Existing Crossing (as that term is defined in Paragraph 3. The term "Crossing" or "Crossings" herein shall collectively refer to Private Crossings and Public Crossings. A "Public Crossing" is one installed entirely within the public right-of-way for public roads, alleys, streets, highways, easements or other public right-of-way in which Licensee has the right to locate its Facilities. A "Private Crossing" shall be all Crossings that are not Public Crossings.

The term "Crossings" shall exclude (i) any parallel encumbrances that are greater than five hundred feet (500') in length and (ii) installations of fiber optic cable, coaxial cable or other communications media and which are not installed for purposes of meeting the Licensee's internal communications needs.

3. Consideration for Existing License Agreements. Licensee shall pay a one-time license fee to Railway for the Existing License Agreements identified in Exhibit G. Licensee's schedule of payments to Railway shall be in accordance with the schedule identified in Exhibit G. The one-time fee (hereinafter referred to as "Conversion Fee") for each Crossing shall be in accordance with the Conversion Price identified in Exhibit C. Following Railway's receipt of the Conversion Fee for each Existing License Agreement, if the Existing License Agreement contained a Billing Requirement for the Existing License Agreement shall be eliminated in its

entirety, and Licensee shall no longer be requirement to pay annual or other periodic payments for Licensee's use of the Premises.

Licensee shall undertake a diligence review of the Existing License Agreements to determine which Existing License Agreements, in its sole discretion, shall be converted. Railway and Licensee agree that Licensee will use its best efforts to convert the Existing License Agreements in blocks of approximately fifty (50) Existing License Agreements. The parties will strive to have the review of the Existing License Agreements completed within 48 months after the Effective Date of this Agreement. However, if more time is needed, Licensee will notify Railway and the Parties shall work towards a reasonable extension. After payment of the Conversion Price, the terms of the Existing License Agreements shall be cancelled and superseded by the terms of this Master License Agreement.

4. Grant. Subject to Paragraph 34, insofar as Railway has the legal right, power and authority to do so, Railway hereby permits and grants to Licensee, without warranty and subject to all encumbrances, covenants and easements to which Railway's title may be subject, rights to construct, maintain, repair, rebuild, renew, replace, operate, use, alter, enlarge, upgrade and remove (any or all, collectively "Operate" or "Operation"), Crossings at such locations on Railway's right-of-way or property (the "Premises") as may be mutually agreed upon in accordance with the terms and conditions of this Agreement, including without limitation the right and license to Operate the following (collectively, the "Facilities"): electric transmission, distribution and service wires, cables and conduits, voice/data transmission, and lightwave impulse and other communication facilities owned by Licensee, together with related cables, poles, supports, anchors, guys and appurtenant materials, equipment and facilities associated therewith.

5. Use and Condition of the Premises. The Premises shall be used by Licensee only for the Operation of the Facilities and for no other purpose without the prior written consent of Railway, which consent may be withheld by Railway in its sole discretion. With respect to a Crossing, Licensee shall accept the Premises for such Crossing in their current "as is" condition as of the date the Application for such Crossing is approved by Railway, as suited for the installation and operation of the Facilities at such Crossing, and without the benefit of any improvements to be constructed by Railway.

6. Application for Crossings – Fees:

(a) Licensee shall give Railway (or Railway's designated third party administrator) written notice (each such notice, an "Application") from time to time during the Term specifying the location of any Crossing not previously approved. Railway shall provide Licensee with prompt written notice of any change in its designated administrator. The Application shall include: (i) a non-refundable fee for the processing of the application (the "Application Fee"); and (ii) the applicable one time lump sum encumbrance fee for such Crossing (the "Encumbrance Fee") in accordance with the fee schedule described in Exhibit "C" attached hereto and made a part hereof (the "Fee Schedule") and (iii) when required the Risk Financing Fee for such Crossing pursuant to Paragraph 17 of this Agreement, if applicable. Notwithstanding the foregoing sentence, the Encumbrance Fee shall not apply to Public Crossings. Such fees may be combined in a single payment. The parties agree that Licensee may

add any existing crossings that are not currently covered by an existing agreement under this Agreement, upon application and payment of the "Conversion Fee" set forth in Exhibit C.

In the event the Crossing is not approved, the Encumbrance Fee and Risk Financing Fee (if paid) will be returned to Licensee within twenty (20) days of Railway's denial of the Application. The Application shall be in the form hereto as Exhibit B and made a part hereof. Licensee shall include with such Application engineering plans and surveys indicating the location and vertical profile of the proposed Crossing, and a Conduit Data Sheet if for an underground Crossing, in general format as provided on Exhibit B. Approval by Railway shall not be unreasonably withheld, conditioned or delayed and shall be made by written notice to Licensee within forty-five (45) days after the date the application is received by Railway along with the Supplemental Letter described in more detail in Paragraph 6(c) of this Agreement. Licensee shall not commence any installation or construction work relating to any Crossing unless and until the mechanics of construction and all matters related to the Application shall have received the approval of Railway. With respect to each proposed Crossing, but subject to the provisions of Paragraph 14 of this Agreement, Licensee shall have the right in connection with preparing and submitting an Application for such Crossing, to enter upon Railway's right-of-way and property to survey and take such other action as may be reasonably necessary to prepare and submit the Application for such Crossing. There will be no charge to the Licensee by Railway for a Crossing constructed at a specific location for the sole purpose of rendering service to Railway.

(b) If Railway notifies Licensee that the Application has been disapproved (which action can occur electronically, by USPS or by a recognized overnight service) and specifies the safety or noncompliance reasons therefor within the thirty (30) day period, Licensee shall resubmit the Application with revised plans to Railway for its approval, such approval not to be unreasonably withheld, conditioned or delayed. Railway shall then have twenty (20) days to approve or disapprove such modified plans. If Railway notifies Licensee in writing (which action can occur electronically, by USPS or by a recognized overnight service) that its revised Application has been disapproved and specifies the safety or noncompliance reasons therefor within the twenty (20) day period, then Licensee shall, at its option, submit a second revised Application for Railway's approval in the manner set forth in this subparagraph (b). Railway shall not be obligated to review a third revised Application provided it has specified the safety and noncompliance reasons for disapproval of each prior Application, and any such Application shall be deemed to be disapproved by Railway.

(c) Upon approval of the Application, the terms and conditions of this Agreement shall apply to the Facilities described in such Application, and the approved Application then shall become a part of this Agreement. Approval by Railway shall be made by execution of a supplemental letter (the supplemental letter with approved plans attached shall collectively be referred to herein as the "Supplemental Letter"). Upon return of the Supplemental Letter to Licensee, the Agreement, thereafter, shall be modified to add the Crossing. The Supplemental Letter shall be considered as being attached to and made a part of this Agreement. [An addendum in the form of Exhibit "H" attached hereto and made a part hereof (herein called the "Addendum") shall be executed by Railway and

Licensee, shall be attached hereto and shall thereafter become a part hereof to evidence each and every new Crossing made during the Term.]

7. Installation of the Facilities; Contractors.

Licensee shall, at its expense, install, construct, maintain and operate the Facilities at each Crossing on a lien-free basis and in such a manner as will not interfere with the operations of Railway, or endanger persons or property of Railway. Such installation, construction, maintenance and operation of the Facilities shall be in accordance with (a) the Application for such Crossing, including any specifications prescribed by Railway in connection with approving such Application, (b) Railway's standard plan SP-1621 entitled Clearance Requirements for Cable and Wire Crossings, provided as Exhibit B and made a part hereof (c) applicable laws, regulations, ordinances and other requirements of federal, state and local governmental authorities, and (d) applicable specifications of the National Electric Safety Code, when not in conflict with the applicable plans, specifications, laws, regulations, ordinances or requirements mentioned in paragraph 6 (a), (b) and (c), above. All contractors of Licensee performing any work on the Premises shall be deemed contractors of Licensee only and not of Railway.

8. Modifications to Existing Facilities.

(a) Any change to the character, capacity or use of the Facilities shall require a new Application for Crossings. From time to time hereafter, Licensee may desire to renew, replace, alter, enlarge, upgrade or remove existing Facilities (including without limitation changes in the nature of the product carried by, through, in, or upon the Facilities). Licensee shall submit an Application and detailed plans to Railway in accordance with the procedure set forth in Paragraph 6 hereof, including the Application Fee.

(b) If Licensee desires to alter, relocate or change in any manner all or any part of any Crossing after initial installation, or if Licensee is required by governmental action to relocate, change, alter or remove Crossing after initial installation, plans therefor shall be submitted to Railway for approval before any such alteration, relocation, change or removal is made. Upon approval of said plans, all other terms and conditions of this Agreement shall apply thereto.

(c) Licensee shall not be required to pay the Encroachment Fee for a Crossing altered, renewed, relocated or changed herein if:

(1) the location of such relocated Crossing is placed at a location acceptable to Railway and remains within fifty feet (50) of the original Crossing centerline; and/or

(2) for underground crossings, the diameter of any new underground pipeline or the capacity of any new underground cable remains within the capacity range originally permitted.

- (d) Railway may require Licensee to make temporary changes or relocations in Licensee's Facilities, at Licensee's cost, to meet emergency situations, including derailment, environmental release or spill, landslide, flood, track washout, etc., upon notice to Licensee of necessity for such temporary changes.
- (e) Subject to the provisions of Paragraph 8(c), for purposes of this Agreement, Modifications to Existing Facilities shall mean the addition of a temporary pole, wire, cable, conduit, cross arm, guy, anchor or pipe to the Facilities or the relocation of any Facilities that occupies additional property or aerial space. The addition of a new pole, tower or other structure within the Premises shall be considered a new Crossing.
- (f) Licensee shall provide the Encumbrance Fee for Modifications to Existing Facilities resulting in increased voltage of the Crossing, calculated as the incremental difference between the existing Crossing voltage and the new Crossing voltage.

9. Railway Support. Railway shall, at Railway's option, furnish, at the sole expense of Licensee, labor and materials necessary, in Railway's sole judgment, to support its tracks and to protect its traffic (including, without limitation, flagging) during the installation, maintenance, repair, renewal or removal of the Facilities.

10. Electronic Interference. If the Facilities cause degradation of Railway's signal, communications and other electronic systems (hereinafter collectively called the "Electronic Systems") or endanger Railway's personnel or other individuals entitled to be on or about the Premises, through inductive or electrostatic interference or otherwise, Licensee, at its expense, will modify or relocate the Facilities to the satisfaction of Railway so as to eliminate such degradation or danger. Such modifications may include, without limiting the generality of the foregoing, transposing circuits or providing additional shielding, reactance or other corrective measures deemed necessary by Railway. The provisions of this Paragraph 10 shall apply to the Electronic Systems existing as of the date of this Agreement and to any Electronic Systems that Railway may install in the future.

11. Corrective Measures. If Licensee fails to take any corrective measures requested by Railway in a timely manner, or if an emergency situation is presented which, in Railway's judgment, requires immediate repairs to the Facilities, Railway, at Licensee's expense, may undertake such corrective measures or repairs as it deems necessary or desirable.

12. Railway Changes. Railway may request, upon ninety (90) days written notice to Licensee, that Licensee shall take action to strengthen, support, relocate or otherwise protect or modify any of the Facilities to permit and accommodate changes of grade or alignment and improvements in, or additions to (including new tracks), the operating facilities of Railway, or for the conduct of its railroad business or the performance of its duties as a common carrier. Railway agrees to use good faith efforts to provide such notice prior to such ninety (90) day time where a relocation or modification requiring significant engineering and other planning on the part of Licensee will be required. Such requested action shall hereinafter be referred to as a

"Railway Modification". If necessary, Railway shall provide so much of its adjoining land to Licensee as may be available for such Railway Modification at no cost to Licensee. The obligation of Licensee to pay for such modification of the Facilities to accommodate a Railway Modification shall be conditioned upon (a) such Railway Modification being necessary, as reasonably determined by Railway, to permit and accommodate changes of grade or alignment and improvements in or additions to (including new tracks) the operating facilities of Railway for the conduct of its railroad business or the performance of its duties as a common carrier, or (b) such Railway Modification being required for a governmental entity, irrespective of whether such necessity or requirement is temporary or permanent. Any work performed in connection with any Railway Modification shall comply with and be subject to the terms and conditions of this Agreement. With respect to a Railway Modification requiring relocation of Licensee's Facilities, Railway agrees that Licensee shall be given a reasonable opportunity to seek and propose alternative courses of action that, subject to Railway's reasonable approval, would eliminate the necessity of relocating Licensee's Facilities.

13. Assumption of Risk. Unless caused solely by the negligence of Railway or caused solely by the willful misconduct of Railway, Licensee hereby assumes all risk of damage to the Facilities and Licensee's other property relating to its use and occupation of the Premises or business carried on the Premises and any defects to the Premises; and Licensee hereby indemnifies Railway, its officers, directors, agents and employees from and against any liability for such damage.

14. Entry Upon Premises. Prior to commencement of any work to be performed on or about the Premises, Licensee shall notify the appropriate Division Engineer for the scheduling of protection and inspection, except in the event of an emergency Licensee shall contact Railway's Emergency Services at 1-800-453-2530. Within seventy-two (72) hours after the Division Engineer's actual receipt of such notification, the Division Engineer shall review the necessity and availability of flagmen for the proposed work and advise Licensee of such matters and the estimated cost therefor. No work shall be permitted on or about the Premises without the presence of Railway's flagman or the Division Engineer's waiver of the requirement for flag protection. Licensee agrees to pay Railway, within forty-five (45) days after delivery of an invoice therefor, for any protection and inspection costs incurred by Railway, in Railway's sole judgment, during any such entry.

15. Liens; Taxes. Licensee will not permit any mechanic's liens or other liens to be placed upon the Premises, and nothing in this Agreement shall be construed as constituting the consent or request of Railway, express or implied, to any person for the performance of any labor or the furnishing of any materials to the Premises, nor as giving Licensee any right, power or authority to contract for or permit the rendering of any services or the furnishing of any materials that could give rise to any mechanic's liens or other liens against the Premises. In addition, Licensee shall be liable for all taxes levied or assessed against the Facilities and any other equipment or other property placed by Licensee within the Premises. In the event that any such lien shall attach to the Premises or Licensee shall fail to pay such taxes, then, in addition to any other right or remedy available to Railway, Railway may, but shall not be obligated to, discharge the same. Any amount paid by Railway for any of the aforesaid purposes, together with related court costs, attorneys' fees, fines and penalties, shall be paid by Licensee to Railway within ten

(10) days after Railway's demand therefor. Licensee reserves the right to challenge, at its sole expense, the validity and /or enforceability of any such Liens or Encumbrances.

16. Indemnification. Licensee hereby agrees to indemnify and save harmless Railway, its officers, directors, agents and employees, from and against any and all liabilities, claims, losses, damages, expenses (including attorneys' fees) or costs for personal injuries (including death) and property damage to whomsoever or whatsoever occurring (hereinafter collectively called "Losses") that arise in any manner from (a) the installation, construction, maintenance, operation, presence or removal of, or the failure to properly install, construct, maintain, operate or remove, the Facilities, or (b) any act, omission or neglect of Licensee, its agents, servants, employees or contractors in connection therewith, unless caused solely by the negligence of Railway or caused solely by the willful misconduct of Railway.

17. Insurance.

(a). Without limiting in any manner the liabilities and obligations assumed by Licensee under any other provision of this Agreement, Licensee, or any contractor of Licensee, shall, at its expense, procure and maintain with insurance companies reasonably satisfactory to Railway, the following insurance policies prior to and during the installation of the Facilities at a Crossing or any subsequent entry by Licensee upon the Premises or other Railway property in connection with any Crossing:

- (i) A Commercial General Liability Insurance policy having a combined single limit of not less than \$5,000,000 per occurrence for injury to or death of persons and damage to or loss or destruction of property. Said policy or policies shall be endorsed to provide products and completed operations coverage, explosion, collapse and underground ("XCU") coverage, and contractual liability coverage for liability assumed under this Agreement. In addition, said policy or policies shall be endorsed to name Railway as an additional insured and shall include a severability of interests' provision.
- (ii) Unless Railway elects to make available and Licensee pays the then current risk financing fee for each affected installation (the "Risk Financing Fee") , a policy of Railroad Protective Liability Insurance naming Railway as a named insured and having combined single limits of not less than \$5,000,000 for each occurrence and \$10,000,000 in the aggregate. Such policy shall be written using Insurance Services Offices Form Numbers CG 00 35 10 01 or equivalent forms that are satisfactory to Railway.

(b) In the event Railway does not approve the Application for such proposed Crossing, the Risk Financing Fee for such Crossing shall be refunded to Licensee. All insurance required under the preceding subparagraph (a) shall be underwritten by insurers, and be of such form and content, as may be reasonably acceptable to Railway. Evidence of such insurance (a certificate of insurance for the Commercial General Liability Insurance policy and an original or certified copy of Railroad Protective Liability Insurance policy for subsequent entry when Licensee has not paid a risk financing fee therefor) shall be furnished to Director of Risk Management, Three Commercial Place, Norfolk, Virginia 23510-2191 for review and approval.

(c) Not more frequently than once every five years, Railway may modify the insurance coverage required by this Paragraph 17 to reflect then-current risk management practices in the railroad industry and underwriting practices in the insurance industry. No such modification shall be effective prior to one year after Licensee receives written notice thereof.

(d) Notwithstanding the foregoing provisions of this Paragraph 17, Railway and Licensee acknowledge and agree that Licensee currently has in force a system of insurance that meets the requirements of this Paragraph 17 and which system of insurance has been approved by Railway, and that the same is expected to continue throughout the Term of this Agreement. However, if at any point during the existence of this Agreement Licensee shall no longer have in force such a Railway-approved system of insurance, then in that case, Licensee shall be required to meet the foregoing requirements of this Paragraph 17, including a Risk Financing Fee, for each Crossing installation or entry on Railway Premises or any other Railway property in connection with any Crossing.

18. Environmental Matters. Licensee assumes all responsibility for any environmental obligations imposed under applicable laws, regulations, ordinances or other requirements of federal, state and local governmental authorities relating to (a) the installation, construction, maintenance, operation or removal of the Facilities, including notification and reporting of any releases, and (b) any contamination of any property, water, air or groundwater arising or resulting, in whole or in part, from Licensee's operation or use of the Premises pursuant to this Agreement. In addition, Licensee shall obtain any necessary permits to install, construct, maintain, operate or remove the Facilities. Licensee agrees to indemnify and hold harmless Railway from and against any and all fines, penalties, demands or other Losses (including attorneys' fees) incurred by Railway or claimed by any person, company or governmental entity relating to (a) any contamination of any property, water, air or groundwater due to the use or presence of the Facilities on the Premises, (b) Licensee's violation of any laws, regulations or other requirements of federal, state or local governmental authorities in connection with the use or presence of the Facilities on the Premises or (c) any violation of Licensee's obligations imposed under this paragraph. Without limitation, this indemnity provision shall extend to any cleanup and investigative costs relating to any contamination of the Premises arising or resulting from, in whole or in part, Licensee's use of the Facilities or any other activities by or on behalf of Licensee occurring on or about the Premises. Licensee further agrees not to dispose of any trash, debris or wastes, including hazardous waste, on the Premises and will not conduct any activities on the Premises which would require a hazardous waste treatment, storage or disposal permit.

19. Assignments and Other Transfers.

(a) Licensee shall not assign, transfer, sell, mortgage, encumber, sublease or otherwise convey (whether voluntarily, involuntarily or by operation of law) this Agreement or any interest therein, nor license, mortgage, encumber or otherwise grant to any other person or entity (whether voluntarily, involuntarily or by operation of law) any right or privilege in or to

the Premises (or any interest therein), in whole or in part, without the prior written consent of Railway, which consent shall not be unreasonably withheld by Railway. Any such inappropriate assignment or other transfer made without Railway's prior written consent shall be null and void. Notwithstanding the foregoing, upon prior written notice to Railway, Licensee shall have the right to assign this license or mortgage, encumber, sublicense or otherwise convey any interest therein to any one of the following (each being hereinafter called a "Permitted Assignee"): (a) any parent, subsidiary, affiliate or other entity in which Licensee is controlled by or has a controlling interest therein (control requiring 50% or more of the outstanding ownership interest in such entity), or (b) any corporation or other entity (i) to which is transferred all or substantially all of the assets of Licensee, its parent, subsidiaries and affiliates or any one or more of them, or (ii) to which is transferred all of the stock of Licensee, its parent, subsidiaries and affiliates or any one or more of them, or (iii) resulting from the merger or consolidation of Licensee, its parent, subsidiaries and affiliates or any one or more of them with any other entity or entities, or (c) any entity pursuant to a transaction specifically approved by order of the Federal Energy Regulatory Commission pursuant to its authority under the Natural Gas Act, 15 U.S.C. §§ 717 *et seq.*, and implementing regulations.

(b) Railway shall have the right to transfer and assign, in whole or in part, all its rights and obligations hereunder and in or to the Premises. From and after the effective date of any such assignment or transfer, Railway shall be released from any further obligations hereunder; and Licensee shall look solely to such successor-in-interest of Railway for the performance of the obligations of "Railway" hereunder.

20. Meaning of "Railway". The word "Railway" as used herein shall include any other company whose property at the aforesaid location may be leased to or operated by Railway. Said term also shall include Railway's officers, directors, agents and employees, and any parent company, subsidiary or affiliate of Railway and their respective officers, directors, agents and employees.

21. Default; Remedies.

(a) The following events shall be deemed to be events of default by Licensee under this Agreement:

(i) Licensee shall fail to pay any sum of money due hereunder and such failure shall continue for a period of thirty (30) after written notice of such failure is delivered to Licensee;

(ii) Licensee shall fail to comply with any provision of this Agreement not requiring the payment of money, all of which terms, provisions and covenants shall be deemed material, and such failure shall continue for a period of ninety (90) days after written notice of such default is delivered to Licensee; provided however, that if such default is not capable of being cured within ninety (90) days, then so long as Licensee has diligently initiated and pursued such cure of the default, Licensee shall be given additional necessary time (not to exceed one hundred twenty (120) days in the aggregate) to cure the default.

(iii) Licensee shall become insolvent or unable to pay its debts as they become due, or Licensee notifies Railway that it anticipates either condition;

(iv) Licensee takes any action to, or notifies Railway that Licensee intends to file a petition under any section or chapter of the United States Bankruptcy Code, as amended from time to time, or under any similar law or statute of the United States or any State thereof; or a petition shall be filed against Licensee under any such statute; or

(v) A receiver or trustee shall be appointed for Licensee's license interest hereunder or for all or a substantial part of the assets of Licensee, and such receiver or trustee is not dismissed within sixty (60) days of the appointment.

(b) Upon the occurrence of any event or events of default by Licensee, whether enumerated in this Paragraph 21 or not, Railway shall have the option to pursue any remedies available to it at law or in equity without any additional notices to Licensee. Railway's remedies shall include, but not be limited to, the following: (i) termination of this Agreement, in which event Licensee shall immediately surrender the Premises to Railway; (ii) entry into or upon the Premises to do whatever Licensee is obligated to do under the terms of this License, in which event Licensee shall reimburse Railway on demand for any expenses which Railway may incur in effecting compliance with Licensee's obligations under this License, but without rendering Railway liable for any damages resulting to Licensee or the Facilities from such action; and (iii) pursuit of all other remedies available to Railway at law or in equity, including, without limitation, injunctive relief of all varieties.

22. Licensee Termination Right. In the event Licensee elects to discontinue use of any of the Facilities for a period of one year or longer (unless such discontinuance of use occurs as part of a major line construction, reconstruction, repair or maintenance project initiated by Licensee or required by a governmental authority), Licensee shall (a) remove the Facilities discontinued from use from the affected portions of the Premises as provided in Paragraph 24 below and restore such affected portions of the Premises in accordance with the provisions of Paragraph 24 below, or (b) upon the prior approval of Railway's Division Superintendent, which approval shall not be unreasonably withheld, conditioned or delayed, abandon such Facilities discontinued from use in place in accordance with the guidelines set forth in Paragraph 7 hereof. In such event, this Agreement shall terminate with respect to the abandoned or removed Facilities, and Licensee shall have no further rights or obligations with respect thereto except that Licensee's obligations under Paragraph 16 above shall survive as to such Facilities left in place so long as they remain in place.

23. Railway Termination Right. Notwithstanding anything to the contrary in this Agreement, Railway shall have the right to terminate this Agreement as to any or all of the Crossings after delivering to Licensee written notice of such termination no less than four (4) months prior to the date such termination is to be effected, upon the occurrence of any one or more of the following events with respect to any or all of the Crossings; provided however, that

Railway's right to terminate this Agreement as to all Crossings shall only arise if any of the events applies to all Crossings:

- (a) If Railway shall be required by any governmental authority having jurisdiction over the Premises to remove, relocate, reconstruct or discontinue operation of its railroad on or about the Premises in the vicinity of such Crossing provided, however, if Licensee is able, without a resulting unreasonable direct or indirect cost to Railway, to modify its Facilities, or any portion thereof, so that they shall not interfere to a greater extent than previously with the operation and maintenance of the facilities of Railway, Railway shall not exercise the foregoing right of termination even while Railway is making the changes described hereunder; or
- (b) If Railway, in the good faith judgment of its Superintendent, shall require a change in the location or elevation of its railroad tracks or other facilities on or about the location of the Facilities or any of the Premises that might effectively prohibit the use or operation of the Facilities at such Crossing; provided, however, if Licensee is able, without a resulting unreasonable direct or indirect cost to Railway, to modify its Facilities, or any portion thereof, so that a change in the location or elevation of the railroad tracks or other railroad facilities shall not effectively prohibit the use and operation of the Facilities, Railway shall not exercise the foregoing right of termination even while Railway is making the changes described hereunder; or
- (c) If Railway, in the good faith judgment of its Superintendent, determines that the maintenance or use of the Facilities at such Crossing unduly interferes with the operation and maintenance of the facilities of Railway, or with the present or future use of such property by Railway, its railroad lessees, affiliates, successors or assigns, for their respective purposes provided, however, if Licensee is able, without a resulting unreasonable direct or indirect cost to Railway, to modify its Facilities, or any portion thereof, so that they shall not unduly interfere with the operation and maintenance of the facilities of Railway, Railway shall not exercise the foregoing right of termination even while Railway is making the changes described hereunder.

In the event of termination of this Agreement as to any or all of the Facilities pursuant to subparagraphs (a), (b) or (c) above, Railway shall use diligent efforts so as to allow for the relocation of such Facilities across or along Railway's property for no additional crossing fees. In the event Licensee is able to modify its Facilities pursuant to subparagraphs (b) and (c) above, Licensee shall pay all actual costs associated with such modification.

24. Removal of Facilities. The Facilities are and shall remain the personal property of Licensee. Upon the termination of this Agreement as to all or any portion of the Premises and in the absence of any other rights to operate Licensee's Facilities as to Railway's interest in the Premises (e.g., by virtue of Licensee's rights of eminent domain, which are not hereby waived), Licensee shall remove the Facilities from the Premises as to which this Agreement is terminated

within one hundred eighty (180) days after the effective date thereof (the "Facilities Removal Period") or such longer period as mutually agreed for Facilities related to transmission. In performing such removal, unless otherwise directed by Railway, Licensee shall restore the affected Premises to the same condition as existed prior to the installation or placement of Facilities, reasonable wear and tear excepted. All costs associated with the removal of the Facilities and restoration of the affected Premises shall be at the sole cost and expense of Licensee except as otherwise provided herein. In the event Licensee shall fail to so remove the Facilities within the said Facilities Removal Period, the Facilities may, at the sole option of Railway, be deemed to have been abandoned by Licensee, and the same shall become the property of Railway for Railway to use, remove, destroy or otherwise dispose of at its discretion and without responsibility for accounting to Licensee therefor; provided, however, in the event Railway elects to remove the Facilities, Railway, in addition to any other legal remedy it may have, shall have the right to recover from Licensee all costs incurred in connection with such removal and the restoration of the Premises.

25. Condemnation. If the Premises at a Crossing or any portion thereof shall be taken or condemned in whole or in part for public purposes, or sold in lieu of condemnation, and such condemnation or taking is of a nature or estate that would preclude continuation of the Crossings, and such condemnation or taking does not expressly except or reserve the continued Crossing rights of Licensee, then the rights granted to Licensee hereunder with respect to such Crossing, except to the extent applicable laws, regulations, ordinances and other requirements of federal, state and local governmental authorities dictate otherwise, shall cease and terminate as of the date when the Premises at such Crossing shall be taken or conveyed. All compensation awarded for any such taking of the Premises (or sale proceeds in lieu thereof) shall be the property of Railway, and Licensee shall have no claim thereto; provided, however, Licensee shall be entitled to intercede as a party or otherwise in any condemnation proceedings and to apply for and receive any award for the Facilities and any award for severance damages and relocation or other expenses of Licensee.

26. Survival. Neither the expiration of the Term nor the termination of this Agreement shall terminate the rights, interests, privileges and duties of Licensee with respect to any Crossings applied for, approved, constructed or existing prior to said expiration or termination; and the Crossings which have been applied for, approved or constructed or are existing prior to such termination shall thereafter be maintained and operated in accordance with and subject to all other terms, conditions and covenants of this Agreement and, except as otherwise expressly provided in this Agreement, without Licensee being required or obligated to pay any fee or charge therefor.

27. Entire Agreement. This Agreement contains the entire agreement of Railway and Licensee and no representations, warranties, inducements, promises or agreements, oral or otherwise, between the parties not embodied in this Agreement shall be of any force or effect.

28. Attorneys' Fees. If Railway should bring any action under this Agreement, or consult or place the Agreement or any amount payable by Licensee hereunder, with an attorney concerning or for the enforcement of any of Railway's rights hereunder, then Licensee agrees in each and any such case to pay to Railway all costs, including but not limited to court costs and attorneys' fees, incurred in connection therewith.

29. Severability. If any clause or provision of this Agreement is illegal, invalid or unenforceable under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected thereby; and it is also the intention of the parties to this Agreement that in lieu of each clause or provision of this Agreement that is illegal, invalid or unenforceable, there be added as a part of this Agreement a clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible and be legal, valid and enforceable.

30. Modifications; Waiver; Successors and Assigns. This Agreement may not be altered, changed or amended, except by instrument in writing signed by both parties hereto. No provision of this Agreement shall be deemed to have been waived by Railway unless such waiver shall be in a writing signed by Railway and addressed to Licensee, nor shall any custom or practice that may evolve between the parties in the administration of the terms hereof be construed to waive or lessen the right of Railway to insist upon the performance by Licensee in strict accordance with the terms hereof. The terms and conditions contained in this Agreement shall apply to, inure to the benefit of, and be binding upon the parties hereto, and upon their respective successors in interest and legal representatives and assigns, except as otherwise herein expressly provided. If there shall be more than one Licensee, the obligations hereunder imposed upon Licensee shall be joint and several.

31. Notice. Any and all other notices, demands or requests by or from Railway to Licensee, or Licensee to Railway, shall be in writing and shall be sent by (a) certified mail, return receipt requested, proper postage affixed, or (b) a reputable national overnight courier service with receipt therefor, and addressed in each case as follows:

If to Railway:

Norfolk Southern Corporation
1200 Peachtree Street, NE - 12th Floor
Atlanta, Georgia 30309-3504
Attention: Director Real Estate

If to Licensee:

Assistant General Counsel – Real Estate,
American Electric Power Service Corporation,
1 Riverside Plaza, Columbus, OH 43215

Either party may, by notice in writing, direct that future notices or demands be sent to a different address. All notices hereunder shall be deemed given upon receipt (or, if rejected, upon rejection).

32. Non-Disclosure. Railway and Licensee acknowledge and agree that the terms and conditions set forth in this Agreement, including any rates, crossing fees or other charges set forth herein, shall remain absolutely confidential between the parties hereto and shall not be disclosed, except that the parties shall have the right to make disclosures required by law and as required in the ordinary course of its business, and the right to disclose this Agreement or any

part thereof to their parent companies or any company owned or controlled by such parent companies, directly or indirectly, or their respective auditors, attorneys, lenders, third party contractors, brokers and underwriters, and to any regulators in response to a request or in response to a subpoena or other legal process, provided that in case of a request from regulators or of a subpoena or legal process, Railway or Licensee, as the case may be, shall endeavor to provide notice to the other party so that such party may seek a protective order.

33. Miscellaneous. All exhibits, attachments, riders and addenda referred to in this Agreement are incorporated into this Agreement and made a part hereof for all intents and purposes. Time is of the essence with regard to each provision of this Agreement. This Agreement shall be construed and interpreted in accordance with and governed by the laws of the State in which the Premises are located. No amendment to this Agreement shall be binding upon any of the parties hereto unless such amendment is in writing and executed by both Railway and Licensee. This Agreement may be executed in multiple counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same agreement. The executed signature pages of any counterpart hereof may be appended or attached to any other counterpart hereof; and, provided that all parties hereto shall have executed a counterpart hereof, this Agreement shall be valid and binding upon the parties notwithstanding the fact that the execution of all parties may not be reflected upon any one single counterpart. All personal pronouns used in this Agreement, whether used in the masculine, feminine or neuter gender, shall include all genders, the singular shall include the plural and vice versa. The headings inserted at the beginning of each Paragraph are for convenience only, and do not add to or subtract from the meaning of the contents of each Paragraph.

34. Limitations of Grant. Licensee acknowledges that the license granted hereunder is a quitclaim grant, made without covenants, representations or warranties with respect to Railway's (a) right to make the grant, (b) title in the Premises, or (c) right to use or make available to others the Premises for the purposes contemplated herein. Railway is the owner and/or holder of the Premises subject to the terms and limitations under which it is owned or held, including without limitation conditions, covenants, restrictions, easements (including any pre-existing fiber optic easements or licenses), encroachments, leases, licenses, permits, mortgages, indentures, reversionary interests, fee interests, zoning restrictions and other burdens and limitations, of record and not of record, and to rights of tenants and licensees in possession, and Licensee agrees that the rights licensed hereunder are subject and subordinate to each and all of the foregoing. Licensee agrees to release, hold harmless and indemnify (and, at Railway's election, defend, at Licensee's sole expense, with counsel approved by Railway) Railway, its affiliated companies, and its and their respective officers, directors, agents and employees, from and against any detriments to, or liabilities of, any type or nature arising from such claims, including punitive damages and any forfeitures declared or occurring as a result of this grant.

35. Limitations Upon Damages. Notwithstanding any other provision of this Agreement, Railway shall not be liable for breach of this Agreement or under this Agreement for any consequential, incidental, exemplary, punitive, special, business damages or lost profits, as well as any claims for death, personal injury, and property loss and damage which occurs by reason of, or arises out of, or is incidental to the interruption in or usage of the Facilities placed upon or about the Premises by Licensee, including without limitation any damages under such

claims that might be considered consequential, incidental, exemplary, punitive, special, business damages or loss profits.

36. Recordation. This Agreement is not intended for recordation, and is specifically PROHIBITED FROM RECORDATION by any party hereto, or by any other party. Recordation of a Memorandum of Crossing for a particular Crossing is permitted, in the form attached hereto as **Exhibit "F"**. If Licensee submits a Memorandum of Crossing to the Railway, the Railway shall execute the Memorandum of Crossing within thirty (30) days. Licensee shall be responsible for recordation and any fees associated therewith. If Railway requests, Licensee shall provide a copy of the recorded Memorandum of Crossing to the Railway.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have caused this Master Crossing Agreement to be fully executed the day and year first above written.

Signed and acknowledged in the presence of:

**NORFOLK SOUTHERN RAILWAY
COMPANY**

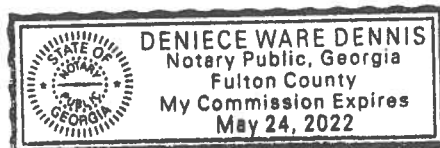
Keyana Hallaway
Printed Name Keyana Hallaway
Witness as to Railway

By: Solomon Jackson
Real Estate Manager

State of Georgia :
County of Fulton : SS

On this 19 day of November, 2018, Solomon Jackson and Keyana Hallaway personally appeared before me, the undersigned, a notary public, who acknowledged that they are the Real Estate Manager and Assistant Corporate Secretary of **Norfolk Southern Railway Company**, and that they executed the foregoing on behalf of the said corporation for the purposes therein contained


(Seal)



[Signature]
Notary Public

Signed and acknowledged in the presence of:

**AMERICAN ELECTRIC POWER
SERVICE CORPORATION**



Ryan Aguiar

By: 

Name: Lisa Barton
Vice President Transmission

Witness as to Licensee

State of OHIO :

ss

County of Franklin :

On this 8th day of November, 2018, Lisa M. Barton and Ryan Aguiar personally appeared before me, the undersigned, a notary public, who acknowledged that they are the counsel and E. Vice President Transmission of **American Electric Power Service Corporation**, and that they executed the foregoing on behalf of the said corporation for the purposes therein contained

(Seal)



Notary Public



Robin S Smith
Notary Public
In and for the State of Ohio
My Commission Expires
November 2, 2023

EXHIBIT A

FORM OF APPLICATION

[to be attached]



APPLICATION FOR UTILITY OCCUPANCY

Please fill in all fields and direct cover letter, including a project description, completed application, application fee, and three (3) copies of project plans, to:

AECOM
Attn: NS Pipe and Wire Administrator
1700 Market Street - 16th Floor
Philadelphia, PA 19103

APPLICANT INFORMATION

Legal name and address of project sponsor (i.e. the party that will operate and maintain the facility) for use in preparation of official documents and agreements:

Legal name*: _____
Street: _____

City: _____ State: _____ Zip: _____

Taxpayer ID #: _____

*Please ensure that the exact legal name is provided with no abbreviations.

Sponsor's contact information:

Contact name: _____

Title: _____

Street: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail address: _____

Sponsor's project #: _____

Sponsor is a:

- ☐ Corporation – give state of formation: _____
- ☐ Limited Partnership – give state of formation: _____
- ☐ Limited Liability Company – give state of formation: _____
- ☐ General Partnership – give state of formation: _____
- ☐ Sole Proprietorship – give state of formation: _____
- ☐ Individual
- ☐ Government Entity
- ☐ Other (and state of formation): _____

Name and address of project sponsor's representative or consultant (i.e. the party that will coordinate the project leave blank if none or same as sponsor):

Representative's name: _____

Title: _____

Company: _____

Street: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail address: _____

Representative's project #: _____



LOCATION INFORMATION

Provide location information as outlined below:

City/Municipality: _____ County: _____ State: _____
GPS Coordinates: Latitude: _____ Longitude: _____
Distance _____ (feet) and direction (N/S/E/W) from _____ (name of
nearest road), AAR/DOT Crossing No. _____

Will the proposed utility occupancy lie within a public right of way when it crosses the NS right of way?

☐ Yes* ☐ No

***If yes, provide conclusive evidence in the form of a letter or memo from the appropriate roadway authority indicating that the proposed installation is acceptable to the roadway authority and also provide the following:**

- Public right of way lines drawn and dimensioned, with control points, on the plans
- The exact source of the public right of way dimensions provided
- Plans drawn to scale and printed in the scale which is indicated on the plan
- Plans sealed by a licensed engineer or land surveyor, as NS's request
- The dimensioned location of the proposed facility relative to the public right of way

Roadway authority responsible for street maintenance:

Name: _____
Street: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-Mail Address: _____

PROJECT INFORMATION

Description and purpose of proposed work*:

***If modifying an existing agreement, please include with the application a copy of the existing agreement between the project sponsor and Norfolk Southern (or its predecessor) to ensure prompt handling.**

Proposed timeframe for construction:

Start Date: _____ Duration: _____

Is this project being performed per Norfolk Southern request? If so, provide the following information about the Norfolk Southern employee who requested the work:

Name: _____ Title: _____
Phone: _____ E-mail: _____
Reason for Request: _____

Submission of this application does not guarantee project acceptance by NS or convey any right to enter NS property.

Signature: _____ Date: _____



Aerial Wire Lines or Cable Lines

(Complete all applicable information)

- a) Type of proposed installation:
- i) ☐ Transverse crossing only
 - ii) ☐ Longitudinal (parallel to tracks) occupancy only
 - iii) ☐ Longitudinal and transverse crossing(s)
 - iv) ☐ Wire line in highway under railroad bridge
 - v) ☐ Wire line on highway bridge over railroad
- b) Type of wire: ☐ Cable TV ☐ Telephone ☐ Electric Power ☐ Fiber Optic
☐ Other – please specify: _____
- c) Are the poles existing or new poles? Steel or wood poles?
- ☐ Existing: ☐ Steel or ☐ Wood
☐ New: ☐ Steel or ☐ Wood
- d) Will there be any guy wires on or over the railroad right of way? ☐ Yes ☐ No
- e) Will wire line cross existing railroad communication and/or signal lines? ☐ Yes ☐ No
- f) Minimum height of wire above top of rail at 65°F _____ (feet)
Minimum height of wire above railroad communication and signal wires at 65°F _____ (feet)
- g) Specification of wire line:
- Total number of wires: _____
Material of wire: _____
Maximum circuit voltage: _____
Total number of fibers or pairs in cable: _____

All wire line applications shall include a plan and profile view of the proposed facility. See the NSCE-4 for the required format. Below is a suggested check-list for your plan development.

Plan View (see NSCE-4 Specification, Plate I for sample plan)

- ☐ All railroad tracks shown
- ☐ Indicates distance (in feet) to Norfolk Southern milepost or grade crossing
- ☐ Angle of crossing relative to railroad track(s)
- ☐ Dimensioned property lines
- ☐ Location of poles and distance from edge of pole to nearest railroad track centerline
- ☐ Location of all existing railroad communications lines and all utility lines
- ☐ Indicate span length across tracks from pole to pole
- ☐ If proposed wire line is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices (flashers, gates, etc.) and clearance from existing devices to proposed wire line / poles

Profile View (see NSCE-4 Specification, Plate II for sample plan)

- ☐ All railroad tracks shown
- ☐ Dimensioned property lines
- ☐ Location of poles and distance from edge of pole to nearest railroad track centerline
- ☐ Vertical clearance from top of rail to bottom of sag for all tracks
- ☐ Location of all existing railroad communications lines and all utility lines
- ☐ Vertical clearance between existing railroad pole lines and proposed wire line
- ☐ Indicate span length across tracks from pole to pole
- ☐ If proposed wire line is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices (flashers, gates, etc.) and clearance from existing devices to proposed wire line



Underground Wires and Conduits

(Complete all applicable information)

- a) Type of proposed installation:
- i) ☐ Transverse crossing only
 - ii) ☐ Longitudinal (parallel to tracks) occupancy only
 - iii) ☐ Longitudinal and transverse crossing(s)
 - iv) ☐ Wire line in highway under railroad bridge
 - v) ☐ Wire line on highway bridge over railroad
- b) Type of wire: ☐ Cable TV ☐ Telephone ☐ Electric Power ☐ Fiber Optic
☐ Other – please specify: _____
- c) Gauge of Wire: _____
Total Number of Wires: _____
Material of Wire: _____
Maximum circuit voltage: _____
Total Number of Fibers or Pairs in Cable: _____

All underground conduit applications shall include a conduit data sheet, plan, and profile view of the proposed facility. See the NSCE-8 for the required format. Below is a suggested check-list for your plan development.

Conduit Data Sheet (next page)

Plan View of Crossing (see NSCE-8 Specification Plate II for sample)

- ☐ All railroad tracks, including distance to any track switches or turnouts from proposed conduit
- ☐ Indicates distance (in feet) to Norfolk Southern Milepost or grade crossing
- ☐ Angle of crossing relative to railroad track(s)
- ☐ Dimensioned property lines
- ☐ Location of conduit marker signs (preferably located at edge of property or right of way lines)
- ☐ Location of all existing railroad communications lines and all utility lines
- ☐ Location of any fiber-optic cables parallel to tracks
- ☐ Conduit casing pipe length
- ☐ If proposed conduit is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices (flashers, gates, etc.) and clearance from existing devices to proposed wire line
- ☐ Location of launching and receiving pits

Profile View of Crossing (see NSCE-8 Specification Plate III for sample)

- ☐ All railroad tracks
- ☐ Profile of ground above crossing
- ☐ Dimensioned property lines
- ☐ Theoretical railroad embankment lines (see NSCE-8, Section 4.3.1.F.6)
- ☐ Proposed location and elevations of launching and receiving pits
- ☐ Casing pipe length
- ☐ Bottom of rail elevation
- ☐ Depth of cover between bottom of rail and top of conduit or casing pipe
- ☐ Location of and the minimum depth of cover from ground line to top of conduit or casing pipe on right of way (including ditches)

CONDUIT DATA SHEET

(For Telecom and Power Conduits only, 6" in diameter or less)

	CONDUIT
NOMINAL SIZE OF PIPE	
MATERIAL*	
OUTSIDE DIAMETER	
INSIDE DIAMETER	
WALL THICKNESS - must be at least 0.188"	
TYPE OF COATING	

* **STEEL** conduits required at least 10' depth below base of rail
HDPE conduits will be considered at least 15' depth below base of rail

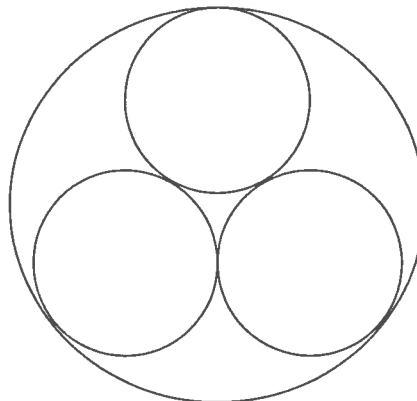
Proposed Method of Installation (Given sections refer to NSCE-8 Specification)

- ☐ Jack & Bore (Section 5.1.3)
- ☐ Directional Boring Method "A" (Section 5.1.6) – *must have at least 10' depth below base of rail*
- ☐ Directional Boring Method "B" (Section 5.1.6) – *only for casings 6 inches or less in diameter*
- ☐ Open Cut (Section 5.1.2) – *All installations directly under any track must be designed as a bored installation. Open cut installations will be considered on a case-by-case basis by Norfolk Southern's Division Superintendent at the time of installation.*
- ☐ Other – Please Specify: _____

MULTIPLE INNERDUCTS

NUMBER OF INNERDUCTS WITHIN CASING PIPE: _____

- Provide a detail or cross section of the casing pipe with innerducts (see below).
- Clearly mark the type of facility that will be installed within each innerduct. If innerduct will be left spare or empty, please identify as such.





Pipeline

(Complete all Applicable Information)

Type of Proposed Installation:

- i) ☐ Transverse Crossing Only
- ii) ☐ Longitudinal (parallel to tracks) occupancy only
- iii) ☐ Longitudinal and transverse crossing(s)
- iv) ☐ Pipeline in highway under railroad bridge
- v) ☐ Pipeline on highway bridge over railroad
- vi) ☐ Pipeline bridge over railroad

Type of occupancy: ☐ Water ☐ Sewer ☐ Petroleum ☐ Natural Gas
☐ Other – please specify: _____

All pipeline applications shall include a pipe data sheet, plan, and profile view of the proposed facility. See the NSCE-8 for the required format. Below is a suggested check-list for your plan development.

Pipe Data Sheet (next page)

Plan View of Crossing (see NSCE-8 Specification Plate II)

- ☐ All railroad tracks, including distance to any track switches or turnouts from proposed pipeline
- ☐ Indicates distance (in feet) to Norfolk Southern Milepost or grade crossing
- ☐ Angle of crossing relative to railroad track(s)
- ☐ Dimensioned property lines
- ☐ Location of valves (NSCE-8 Section 4.9)
- ☐ Location of vents (if required by NSCE-8 Section 4.6)
- ☐ Location of pipeline marker signs (preferably at edge of property or right of way lines)
- ☐ Location of all existing railroad communications lines and all utility lines
- ☐ Location of any fiber-optic cables parallel to tracks
- ☐ If proposed pipe is within highway limits or in the vicinity of a grade crossing, location and type of grade crossing traffic control devices (flashers, gates, etc.) and clearance from existing devices to proposed pipe
- ☐ Casing pipe length
- ☐ Location of launching and receiving pits

Profile View of Crossing (see NSCE-8 Specification Plate III)

- ☐ All railroad tracks
- ☐ Profile of ground above crossing
- ☐ Distance to valves
- ☐ Distance to vents and height above ground (if required by NSCE-8)
- ☐ Distance to pipeline marker signs
- ☐ Dimensioned property lines
- ☐ Theoretical railroad embankment lines (per Section 4.3.1.F.6 of the NSCE-8)
- ☐ Proposed location and elevations of launching and receiving pits
- ☐ Casing pipe length
- ☐ Bottom of rail elevation
- ☐ Depth of cover between bottom of rail and top of casing pipe (or carrier pipe if casing pipe not required)
- ☐ Location of and the minimum depth of cover from ground line to top of casing pipe (or carrier pipe if casing not required) on right of way (including ditches)

General Notes (all plans shall include the following General Notes)

1. Contractor shall follow all requirements of Norfolk Southern's NSCE-8 Specifications
2. Pipeline and crossing to be installed and maintained in accordance with last approved AMERICAN RAILWAY ENGINEERING AND MAINTENANCE OF WAY ASSOCIATION Specifications for Pipelines Conveying Flammable and Non-flammable Substances
3. Blasting not permitted



PIPE DATA SHEET

	CARRIER PIPE	CASING PIPE
CONTENTS TO BE HANDLED		
MAX. ALLOWABLE OPERATING PRESSURE		
NOMINAL SIZE OF PIPE		
OUTSIDE DIAMETER		
INSIDE DIAMETER		
WALL THICKNESS		
WEIGHT PER FOOT		
MATERIAL		
PROCESS OF MANUFACTURE		
SPECIFICATION		
GRADE OR CLASS (Specified Minimum Yield Strength)		
TEST PRESSURE		
TYPE OF JOINT		
TYPE OF COATING		
DETAILS OF CATHODIC PROTECTION		
DETAILS OF SEALS OR PROTECTION AT END OF CASING		
CHARACTER OF SUBSURFACE MATERIAL		
APPROXIMATE GROUND WATER LEVEL		
SOURCE OF INFORMATION ON SUBSURFACE CONDITIONS		

Proposed method of installation:

- ☐ Bore and jack (per Section 5.1.3 of NSCE-8)
- ☐ Jacking (per Section 5.1.4 of NSCE-8)
- ☐ Tunneling (with Tunnel Liner Plate) (per Section 5.1.5 of NSCE-8)
- ☐ Directional Bore/Horizontal Direction Drilling – Method A (per Section 5.1.6 of NSCE-8)
- ☐ Directional Bore/Horizontal Direction Drilling – Method B (per Section 5.1.6 of NSCE-8)
- ☐ Open Cut (per Section 5.1.2 of NSCE-8). *All installations directly under any track must be designed as a bored installation. Open cut installations will be considered on a case-by-case basis by Norfolk Southern's Division Superintendent at the time of installation.*
- ☐ Other (Specify): _____

EXHIBIT B

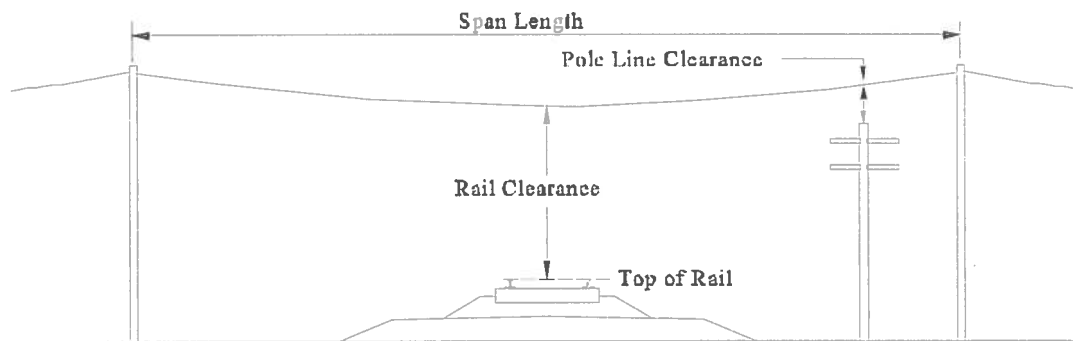
Norfolk Southern Standard Plan SP-1621: Clearance Requirements for Cable and Wire Crossings

[to be attached]

PLATE XIV - STANDARDS AND PROCEDURES CLEARANCE REQUIREMENTS FOR CABLE AND WIRE CROSSINGS Initial date 9/1/93 - Revised 3/24/06

Note: All power and communication lines constructed over, under or parallel to the railroad shall meet or exceed the requirements of the National Electric Safety Code (NESC), latest revision.

OVERHEAD CLEARANCE



In no case shall crossings have less vertical clearance than the following at a final unloaded sag at 60° F, or for span lengths greater than the standard span lengths for the appropriate geographic loading district, at the maximum conductor temperature for which the supply line is designed to operate.

Distance Above	Guys, Messenger, and Communications Spans	Open Supply Line or any Neutral (phase to ground voltage)		
		Less than 750 V	750 V to 15 KV	15 KV to 50 KV *
Rail	27 feet	30 feet	31 feet	33 feet
Pole Line	2 feet	2 feet	4 feet	6 feet

* Add 1/2 inch for each 1000 volts (phase to ground) above 50 KV.

Loading District	Standard Span Lengths
Heavy	175 feet
Medium	250 feet
Light	350 feet

Note - The applicant will furnish line design final sag data.

EXHIBIT C

FEE SCHEDULE

Crossing Voltage	Application Fee (1)	Risk Fee (2)	Encumbrance Fee New Facilities (1)		Conversion Fee Existing Facilities (1)	
	Railway ROW /Public ROW		Railway ROW	Public ROW	Railway ROW	Public ROW
Up to and including 69kv	\$1,125.00	\$0.00 Contingent upon NS approval of policy	\$4,000.00	\$0.00	\$3,500.00	\$0.00
Over 69kv	\$1,125.00	\$0.00 Contingent upon NS approval of policy	\$7,000.00	\$0.00	\$3,500.00	\$0.00

Notes:

- (1) Commencing on the fifth anniversary of the Effective Date and thereafter on each five – year anniversary thereof during the term of this Agreement, the Application Fee, the Encumbrance Fee and the Conversion Price shall be increased (and not decreased) by the same percentage of change reflected if any, in the United States, Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U)(1982-1984 = 100) U.S. City Average, All Items (the “**Index**”) as set forth below. If the Index has changed so that the base year differs from that used in this paragraph, the Index shall be converted in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics, to the 1982-84 base. If the Index is discontinued or revised during the term of this Agreement, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the Index had not been discontinued or revised. The “**Adjustment Date**” shall mean the fifth anniversary of the Effective Date and each five-year anniversary thereof during the term of this Agreement. The Index published nearest to the Effective Date shall be the “**Base Index**”. The Index published nearest to the date three (3) months prior to the then current Adjustment Date shall be the “**Adjustment Index**”. On each Adjustment Date, each of the Application Fee, the Encumbrance Fee and the Conversion Price shall be adjusted by multiplying the applicable fee payable under this Agreement at the Effective Date by a fraction, the numerator of which fraction is the applicable Adjustment Index and the denominator of which fraction is the Base Index. The amount so determined shall be the fee payable under this Agreement beginning on the applicable Adjustment Date and until the next Adjustment Date (if any).

(2) Risk Fee:

- payable if applicable under Paragraph 17 of this agreement
- Fee identified represents the uniform rate charged by Railway's Risk Management Department as of the Master Crossing Agreement Effective Date, which is subject to increase during the term of the Master Crossing Agreement in accordance with Paragraph 17 of this agreement.

Overpayments

Railway shall refund to Utility any overpayments collected, plus any taxes paid in advance.

Exhibit D

NSR-Related Companies

Subsidiaries of Norfolk Southern Corporation

The Cincinnati, New Orleans and Texas Pacific Railway Company

The Nickel Plate Improvement Company, Inc.

Norfolk Southern Railway Company

Southern Region Industrial Realty, Inc.

Virginia Holding Corporation

Subsidiaries of Norfolk Southern Railway Company

The Alabama Great Southern Railroad Company

Central of Georgia Railroad Company

Chesapeake Western Railway

The Cincinnati, New Orleans and Texas Pacific Railway Company

Citico Realty Company

Georgia Southern and Florida Railway Company

Highpoint, Randlemen, Asheboro and Southern Railroad Company

Interstate Railroad Company

Mobile and Birmingham Railroad Company

The North Carolina Midland Railroad Company

S-VA Corporation

The South Western Rail Road Company

Southern Rail Terminals, Inc.

Southern Rail Terminals of North Carolina, Inc.

State University Railroad Company

Tennessee Railway Company

Virginia and Southwestern Railway Company

Yadkin Railroad Company

Subsidiaries of Norfolk Southern Properties, Inc.

Alexandria-Southern Properties, Inc.

Arrowood-Southern Company

Arrowood Southern Executive Park, Inc.

Carlyle CA Corporation

Carlyle Development Corporation

Charlotte-Southern Corporation

Lambert's Point Docks, Incorporated

Norfolk Southern Industrial Development Corp

Southern Region Industrial Realty, Inc.

Virginia Holding Corporation

Exhibit E
AEP-Related Companies

AEP Affiliates – Company Name

AEP Appalachian Transmission Company, Inc.

AEP Energy, Inc.

AEP Energy Partners, Inc.

AEP Energy Services, Inc.

AEP Generating Company

AEP Generation Resources Inc.

AEP Indiana Michigan Transmission Company, Inc.

AEP Kentucky Coal, LLC

AEP Kentucky Transmission Company, Inc.

AEP Ohio Transmission Company, Inc.

AEP Oklahoma Transmission Company, Inc.

AEP OnSite Partners, LLC

AEP Properties, LLC

AEP Renewables, LLC

AEP Southwestern Transmission Company, Inc.

AEP Texas Inc.

AEP Texas North Generation Company, LLC

AEP Transmission Company, LLC

AEP Transmission Holding Company, LLC

AEP West Virginia Transmission Company, Inc.

AEP Wind GP, LLC

American Electric Power Company, Inc.

Appalachian Power Company

Blackhawk Coal Company

Boulder Solar II, LLC

Cardinal Operating Company
Dolet Hills Lignite Company, LLC
Dynasty PNL LLC
Electric Transmission America, LLC
Electric Transmission Texas, LLC
Franklin Real Estate Company
Indiana Franklin Realty, Inc.
Indiana Michigan Power Company
Indiana-Kentucky Electric Corporation
Jacumba Solar, LLC
Kamaaha PNL LLC
Kentucky Power Company
Kingsport Power Company
Mutual Energy SWEPCO, LLC
Ohio Franklin Realty, LLC
Ohio Power Company
Ohio Valley Electric Corporation
Oxbow Lignite Company, LLC
PATH West Virginia Transmission Company, LLC
Pavant Solar III LLC
Pioneer Transmission, LLC
Prairie Wind Transmission, LLC
Public Service Company Of Oklahoma
RITELine Illinois, LLC
RITELine Indiana, LLC
RITELine Transmission Development, LLC
SSLV PNL LLC
Snowcap Coal Company, Inc.
Southwest Arkansas Utilities Corporation

Southwestern Electric Power Company
The Arkklahoma Corporation
Transource Delaware, Inc.
Transource Energy, LLC
Transource Indiana, LLC
Transource Kansas, LLC
Transource Kentucky, LLC
Transource Maryland, LLC
Transource Missouri, LLC
Transource New Jersey, LLC
Transource New York Land Company, Inc.
Transource New York, LLC
Transource Pennsylvania, LLC
Transource Projectco, LLC
Transource West Virginia, LLC
Transource Wisconsin, LLC
Trent Wind Farm, LP
Wheeling Power Company

MEMORANDUM OF CROSSING AGREEMENT

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NORFOLK SOUTHERN RAILWAY
COMPANY:

STATE OF _____)
COUNTY OF _____) SS:

The foregoing Memorandum of Crossing was acknowledged before me this _____ day
of _____, 20_, by _____
.

Notary Public

My Commission Expires: _____

AEP:

STATE OF _____)
COUNTY OF _____) SS:

The foregoing Memorandum of Crossing was acknowledged before me this _____ day
of _____, 20__, by _____
.

Notary Public

My Commission Expires: _____

EXHIBIT G

CONVERSION AGREEMENT

This Conversion Agreement ("Conversion Agreement") is entered into as of the latter signature dates below by and between:

NORFOLK SOUTHERN RAILWAY COMPANY ("NSR"), a Virginia corporation, whose mailing address is Three Commercial Place, Norfolk, Virginia, 23510, on its own behalf and also on behalf of and agent for the NSR-related entities listed on Exhibit D, attached hereto and made a party hereof (NSR and the listed NSR-related companies being hereinafter called "Railway"), and

AMERICAN ELECTRIC POWER SERVICE CORPORATION ("AEP"), a New York corporation, whose mailing address is 1 Riverside Plaza, Columbus, Ohio 43215, as agent for any of the AEP-family of related entities listed on Exhibit E, attached hereto and made a party hereof (hereinafter called "Licensee").

WITNESSETH:

WHEREAS, Licensee has Existing License Agreements with Railway that are not covered under the terms and conditions of the Master Crossing Agreement dated [_____, 2018] (the "Agreement");

WHEREAS, Licensee agreed to review these Existing License Agreements to determine which Existing License Agreements Licensee wishes to convert to Crossings under the Agreement;

WHEREAS, Licensee and Railway agree to attempt to convert the chosen Existing License Agreements in groups of fifty agreement but are willing to convert agreements in a lesser amount if reasonable;

NOW THEREFORE, in consideration of the foregoing conversion of Existing License Agreements to Crossings, the mutual covenants herein contained and each act performed hereunder by the parties, the Railway and Licensee agree to the following:

Conversion: Licensee shall pay a one-time license fee to Railway for the Existing License Agreements identified on the table below titled "List of Existing License Agreements to be Converted." Licensee shall pay a one-time fee (hereinafter referred to as "Conversion Fee") for each Existing License Agreement that is converted to a Crossing and shall be in accordance with the Conversion Price identified in Exhibit C. Following Railway's receipt of the Conversion Fee for each Existing License Agreement, if the Existing License Agreement contained a Billing Requirement for the Existing License Agreement shall be eliminated in its entirety, and Licensee shall no longer be required to pay annual or other periodic payments for Licensee's use of the Premises.

Licensee shall undertake a diligence review of the Existing License Agreements to determine which Existing License Agreements, in its sole discretion, shall be converted. Railway and Licensee agree that Licensee will use its best efforts to convert the Existing License Agreements in blocks of approximately fifty (50) Existing License Agreements. The parties will strive to have the review of the Existing License Agreements completed within 48 months after the Effective Date of this Agreement. However, if more time is needed, Licensee will notify Railway and the Parties shall work towards a reasonable extension. After payment of the Conversion Price, the terms of the Existing License Agreements shall be cancelled and superseded by the terms of this Master License Agreement.

List of Existing License Agreements to be Converted

Tenant Name	Location	Agreement Date	Customer Number	Date Converted

[Signature Page Follows]

**NORFOLK SOUTHERN RAILWAY
COMPANY**

By: _____
Name:
Title: Real Estate Manager

State of Georgia :
County of Fulton : ss

On this _____ day of _____, 2018, _____ and _____ personally appeared before me, the undersigned, a notary public, who acknowledged that they are the Real Estate Manager and Assistant Corporate Secretary of **Norfolk Southern Railway Company**, and that they executed the foregoing on behalf of the said corporation for the purposes therein contained.

(Seal)

Notary Public

**AMERICAN ELECTRIC POWER
SERVICE CORPORATION**

By: _____
Name:
Title:

State of _____ :
County of _____ : ss

On this _____ day of _____, 2018, _____ and _____ personally appeared before me, the undersigned, a notary public, who acknowledged that they are the _____ and _____ of **American Electric Power Service Corporation**, and that they executed the foregoing on behalf of the said corporation for the purposes therein contained

(Seal)

Notary Public

SUPPLEMENTAL LETTER

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**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

2/28/2023 1:30:55 PM

in

Case No(s). 22-0752-EL-BLN

Summary: Correspondence Proof of Construction with Condition. electronically filed
by Hector Garcia-Santana on behalf of AEP Ohio Transmission Company, Inc.