



Utility Company Fact Sheet OEPA Permit No.: OHC000003

Disturbance greater than 1 acre = permit required
Must apply for coverage, submit Notice of Intent (NOI)
Must develop and implement a storm water pollution prevention plan (SWP3)

Permit Definition

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.

What is a SWP3?

Documented plan that conforms to Part III G of Permit
Identify potential sources of pollution
Describe implementation of best management practices (BMP's)
Implemented upon initial start of activity

Who can request the SWP3?

OEPA, Soil & Water Conservation District, Local government officials, or operators of municipal separate storm sewer system (MS4) ie. Butler County Storm Water District

Are there any exemptions?

Yes and no.

See Part III.G.4 of the Permit or;

Part III.G.2.e, states linear projects that do not create additional impervious surface are exempt from Part III.G.2.e (post-construction water quality volume treatment)

What is final stabilization?

Permit Definition

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 landscape 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.

Questions to think about:

Transportation Projects

Am I covered under the road general contractor's NOI?

Am I a co-permittee?

Do I need permit coverage?

Who has operational control over utility installation?

If I use subcontractors, how do they obtain coverage?

Who will receive the Notice of Violation or get fined?

Utility Projects

Do I need permit coverage?

Is disturbance greater than 1 acre?

Who has operational control over utility installation?

If I use subcontractors, how do they obtain coverage?

Who will receive the Notice of Violation or get fined?

Residential/Commercial/Industrial/Retail Projects

Am I covered under the general contractor's NOI?

Am I covered under the owner's (property owner or developer) NOI?

Am I a co-permittee?

Do I follow the site SWP3 or do I have to create my own SWP3?

Who will receive the Notice of Violation or get fined?

References

Current Permit (2003 - 2008)

http://www.epa.state.oh.us/dsw/permits/GP_ConstructionSiteStormWater.html

Draft Permit (2008 - 2013)

http://www.epa.state.oh.us/dsw/permits/Construction_Draft_GP_dec07.html