

STORM WATER POLLUTION PREVENTION PLAN

SWPPP



A **COLAS** COMPANY

Prepared for:

West Carrollton Sand & Gravel
4710 Soldiers Home - West Carrollton Road
West Carrollton, Ohio 45439

Revision 3
January 2026

FACILITY EMERGENCY INFORMATION

Notify the Emergency Coordinator (or alternate) immediately¹ in the event of any spill that cannot be remedied with onsite cleanup materials or that exits the building. The Emergency Coordinator is responsible for implementing spill response actions and notifying appropriate agencies.

<p><i>Emergency Coordinator (EC):</i></p> <p style="color: red; font-weight: bold; font-size: 1.2em;">Trevor Burlile – Mobile (937) 673-1395 Office (937) 859-3616</p>	<p><i>Alternate EC only if EC is not reachable:</i></p> <p style="color: red; font-weight: bold; font-size: 1.2em;">Emilie Terhune Mobile (937) 903-1420</p>
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VERBAL SPILL NOTIFICATION REQUIREMENTS

Emergency Provider	Phone Number	Contact Requirement
Federal: NRC National Response Center	800-424-8802 <small>(24-hr)</small>	Notify immediately ¹ if a harmful quantity of <u>Oil</u> (sheen) or <u>Hazardous Substance</u> is released to navigable waters or adjoining shorelines ² <small>(40 CFR 110, CWA 311(b)(3)&(5) 40 CFR 112.2)</small> <u>Hazardous Substance</u> Reportable Quantity (RQ) <small>(40 CFR 302.6, 42USC9601(14), 9602&9603(a))</small>
State: Ohio EPA’s Spill Hotline Local: Montgomery County EMA	800-282-9378 <small>(or)</small> (614) 224-0946 (937) 512-5103 <small>(or 24-hr)</small> (937) 901-5112	Notify immediately if release or spill of any of the following occur in any 24-hr period: <u>Oil</u> exceeds Reportable Quantity (RQ) of 25 gallons to the environment or any amount that causes a sheen on waters <small>(40 CFR 110 & 112)</small> <u>Hazardous Substance</u> exceeds RQ per 40 CFR 117 or 40 CFR 302 <u>Extremely Hazardous Substance</u> exceeds RQ/TPQ per 40 CFR 355 Appendix A&B
Fire/Police/EMS spill cleanup support: Clean Harbors First Call Environmental	911* <small>(24-hr dispatch)</small> <small>24-hr Emergency</small> (800) 645-8265 <small>24-hr Emergency</small> (800) 646-1290	If additional support is needed in cleaning up a spill and/or dispositioning materials. (40 CFR 112)

¹ Although the regulations do not define the term “immediately”, in enforcement, U.S. EPA relies on a comment in CERCLA’s legislative history that requires notification within fifteen (15) minutes after knowledge of a reportable release is acquired.

² “Navigable Water” assumed to include the Great Miami River; see 40 CFR 112.2 definition for relevance to retention/detention ponds. 40 CFR 110.3 defines CWA 311(b)(3) “harmful” as violating applicable water quality standard, causing a sheen/film or discoloration on surface water/shoreline or sludge/emulsion deposition below water/shoreline. 40 CFR 100.6 requires immediate call to NRC for release “from” the facility.

Note: Section 5 details information to be reported for a release

Barrett Paving Materials – West Carrollton S&G

4710 Soldiers Home – West Carrollton Road

West Carrollton, OH 45439

Plan Certification

The SWPPP must be signed and dated in accordance with Part III, Item 28 of the NPDES permit. The SWPPP, any SWPPP changes to document corrective actions and all reports shall be signed and certified by an authorized person or their duly authorized representative. The signature below meets the requirements of the NPDES permit (“person” or duly authorized representative). If utilized, documentation of an authorized representative must be included with this SWPPP, as required, but does not need to be submitted to OEPA.

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 ensure that qualified personnel properly gathered and evaluated the information contained therein. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained 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.

Signed: _____ Date: 1/20/26

Name: Lance Brown Title: Regional Manager

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1.0 INTRODUCTION

1.1 Site Description

Barret Paving Materials – West Carrollton Sand & Gravel is located in West Carrollton, Montgomery County, Ohio on Soldiers Home – West Carrollton Road. The site is engaged in construction sand and gravel mining. This activity falls under SIC code 1442, “Construction Sand and Gravel”. The general location map (USGS quadrangle showing receiving waters) and site map showing the required features are included in Appendix A as Figures 1 -3.

1.2 National Pollutant Discharge Elimination System

The facility is authorized to discharge storm water associated with industrial activity under Ohio EPA’s National Pollutant Discharge Elimination System (NPDES) Permit (herein referred to as “NPDES permit”) 11J00140*BD. This permit has an effective date of June 1, 2023, and an expiration date of May 31, 2028.

1.3 SWPPP

The NPDES permit requires implementation of a Storm Water Pollution Prevention Plan (SWPPP) to minimize or eliminate the potential for contamination of storm water by industrial activities. The SWPPP is intended to document the selection, design, and installation of control measures.

2.0 POLLUTION PREVENTION TEAM

The Storm Water Pollution Prevention (P2) Team (table below) is responsible for assisting the facility manager in developing and revising this plan as well as maintaining control measures and taking corrective actions where required. Each member of the P2 Team must have ready access to either an electronic or paper copy of relevant portions of the NPDES and this plan.

Team Member (Name or Title)	Responsibilities
Team Leader/ Emergency Coordinator (see Page i for personnel name & contact information)	Identify pollutant sources and risks Specify BMPs with input from P2 Team Establish spill emergency procedures & reporting requirements Implement SWPPP Assist P2 members to implement, maintain, & revise the plan Site contact for outside inquiries concerning the SWPPP Evaluate effectiveness of SWPPP by conducting periodic inspections.
Team Member/Alternate Emergency Coordinator	Serve as P2 Team Leader in his absence Inform team in advance of site changes that may impact the SWPPP Provide input to development of spill emergency procedures Provide input as needed to revisions of SWPPP.

3.0 POTENTIAL POLLUTANT SOURCES

The NPDES permit requires the permittee to document areas where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. **Industrial materials or activities** include material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate

products, by-products, final products, and waste products. **Material handling activities** include the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product. The following information shall be provided for each area identified:

- List of *industrial activities* exposed to storm water in each area (e.g., material storage, fueling, maintenance, cleaning, metal cutting)
- *Pollutants* associated with each activity (e.g., oil, zinc, sulfuric acid, cleaning solvent)
- Potential/Actual *spill locations* - document where spills/leaks could occur and contribute pollutants to storm water discharges (list associated outfall) and where all significant spill/leaks of oil or toxic/hazardous pollutants actually occurred at exposed areas or that drained to a storm water conveyance in the 3 years prior to SWPPP issuance. "Significant" includes spills in excess of RQs per 40 CFR 110, 117 & 302.
- *Non-storm water discharges* (NSWDs) – NPDES requires evaluation including date, description of criteria used, list of observed outfalls, types of NSWDs and source locations, and actions taken to eliminate unauthorized NSWDs
- Location of *salt storage piles*
- *Sampling data* collected during previous permit term

Industrial materials and activities exposed to precipitation at the facility are shown in Figure 2. The required information for each potential pollutant source is presented in Table 1 below. A summary of outfalls is provided in Table 3.

Table 1: Exposed Potential Pollutant Sources

Industrial Activity/Pollutant/Spill Source	Controls / BMPs
Industrial Area 1	QI: Quarterly Inspection CA: corrective action
Removal of Overburden: Fugitive dust and sediment from overburden removal	<ul style="list-style-type: none"> ✓ inspect ground for signs of sediment (QI) ✓ clean up identified releases promptly (QI CA) ✓ limit area of overburden removed as BMP to reduce sediment ✓ annual training to know how to identify & remedy outages
Mineral Extraction, Handling and Processing: Fugitive dust and sediment from mineral extraction/handling/processing	<ul style="list-style-type: none"> ✓ inspect ground for signs of sediment (QI) ✓ clean up identified releases promptly (QI CA) ✓ route stormwater away from pit as BMP to reduce needed treatment ✓ annual training to know how to identify & remedy outages
Aggregate Storage: Fugitive dust and sediment from aggregate storage	<ul style="list-style-type: none"> ✓ inspect ground for signs of sediment (QI) ✓ clean up identified releases promptly (QI CA) ✓ route stormwater away from pit as BMP to reduce needed treatment ✓ annual training to know how to identify & remedy outages
Fueling and Fuel Storage	<ul style="list-style-type: none"> ✓ inspect ground for signs of spills leaks (QI) ✓ clean up identified releases promptly (QI CA) ✓ monitor fuel transfer operations ✓ annual training to know how to identify & remedy outages
Used Oil Tote	<ul style="list-style-type: none"> ✓ inspect ground for signs of spills leaks (QI) ✓ clean up identified releases promptly (QI CA) ✓ annual training to know how to identify & remedy outages
Transformer	<ul style="list-style-type: none"> ✓ inspect ground for signs of spills leaks (QI) ✓ clean up identified releases promptly (QI CA) ✓ annual training to know how to identify & remedy outages
NSWDs (authorized):	N/A

All Areas	
Significant spills/Leaks*	None in 3 yrs preceding issuance of this plan revision. Potential spills could occur at bulk transfer area above that drains to Outfall 1.
Non-Storm Water Discharge (NSWD) Evaluation	On April 27, 2023, Stephanie Madden of Barrett Paving evaluated the facility by visual inspection. No unauthorized NSWDs were observed. No "in-field" types of tests were conducted.
Salt piles	No salt piles onsite
Sampling data	Sampling data is maintained at the plant.

Table 1: Exposed Potential Pollutant Sources (continued)	
All Areas	
Catch basins, swales, settling ponds, outfalls	-visual checks to confirm free of debris/erosion (QI) -notify maintenance if outage or CA required (QI) -annual training to identify & remedy outages & prevent conditions that lead to outages
Spill kits & clean up materials	-strategically located in the Manual Building -inspected for inventory outages as part of QI -annual training to prevent, identify & remedy spills/leaks -Only trained employees may respond to spills & attempt to contain the spill source if safe & trained to do so
E&S sources: exposed soil, newly compacted gravel etc	-annual training to identify E&S and who to notify of any outages -runoff from nearly the entire front yard remains on the property & percolates into the ground. If sediment is found to be exiting the site via vehicle traffic, additional gravel is added at the entrance areas to increase the elevation and minimize the potential for transfer.
Dust generation/vehicle tracking offsite	-inspected daily to ensure adequate moisture

4.0 CONTROL MEASURES & BMPs

Controls and best management practices (BMPs) are required to achieve numeric effluent limitations. If controls are not achieving their intended effect of minimizing pollutant discharges, they shall be modified as expeditiously as practicable.

Control Considerations. The below excerpt identifies selection/design considerations:

- preventing storm water from coming into contact with polluting materials is generally more effective, and less costly, than trying to remove pollutants from storm water;
- using control measures in combination is more effective than using control measures in isolation for minimizing pollutants in your storm water discharge;
- assessing the type and quantity of pollutants, including their potential to impact receiving water quality, is critical to designing effective control measures that will achieve the limits in this permit;

- minimizing impervious areas at your facility and infiltrating runoff onsite (including bioretention cells, green roofs, and pervious pavement, among other approaches) can reduce runoff and improve groundwater recharge and stream base flows in local streams, although care shall be taken to avoid ground water contamination;
- attenuating flow using open vegetated swales and natural depressions can reduce in-stream impacts of erosive flows;
- conserving and/or restoring of riparian buffers will help protect streams from storm water runoff and improve water quality; and
- using treatment interceptors (e.g., swirl separators and sand filters) may be appropriate in some instances to minimize the discharge of pollutants.

Controls and BMPs required by the NPDES permit are identified below. The facility's method of compliance with the requirements are listed in Table 1, opposite the potential pollutant sources.

4.1 Minimize Exposure

The NPDES permit requires minimization of exposure of industrial activities and storage areas to rain, snow, snowmelt and runoff considering the following practices:

- Use grading, berming or curbing to prevent or divert contaminated flows and divert run-on from these areas
- Located materials/equipment/activities to existing contained areas to contain leaks/spills
- Clean up spills promptly using absorbents to prevent capture by runoff
- Use drip pans/absorbents where leaks are suspect or store leaky items indoors
- Use spill overflow protection equipment
- Drain fluids from equipment/vehicles [or scrap] prior to outdoor staging
- Perform cleaning indoors, under cover, or within a contained bermed area
- Ensure no washwater is discharged to the storm sewer system

“Minimize” means reduce and/or eliminate to the extent achievable using control measures/BMPs that are technologically available and economically practicable and achievable in light of best industry practice.

4.2 Good Housekeeping

The NPDES permit requires all exposed areas with potential pollutant sources to be kept clean using measures such as regular sweeping, keeping materials orderly and labeled and in appropriate containers.

4.3 Maintenance

The NPDES permit requires regular inspection, testing and maintenance on industrial equipment/systems to avoid situations that may result in leaks, spills or other releases of pollutants in storm water discharges *to receiving waters*. Structural (catch basins, etc.) and nonstructural (spill materials, training) control measures used to achieve control/BMPs and numeric effluent limits shall be maintained and outages remedied expeditiously as practicable.

4.4 Spill Prevention & Response Procedures

The NPDES permit requires minimization of the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for spill response, if they occur. The following procedures are required at a minimum:

- Plainly labeling containers (i.e., “used oil”, “spent solvent” etc.) that could be susceptible to spills or leaks to encourage proper handling & facilitate rapid spill response;
- Material storage/handling & preventative measures such as barriers between material storage & traffic areas & secondary containment;
- Exeditiously stopping, containing, & cleaning up leaks, spills & other releases. Employees who may cause, detect or respond to a release shall be trained & have response materials available.
- Notification of appropriate facility personnel, emergency response & regulatory agencies. Contact information shall be in locations that are readily accessible & available.

General Spill Procedure. The facility employs a variety of countermeasures to handle spills once they occur. These procedures vary depending on the size and location of the spill. The following procedures should be followed in the case of small spills retained within the building if safe to do so:

- Absorb liquids with absorbent materials; pick up non-liquid materials with brooms and dustpans and place in appropriate containers.
- Consult with the Emergency Coordinator to ensure proper labeling containers and disposal techniques.
- Clean up reusable spill control equipment and return them to proper storage place.
- Clean up spill surface if necessary. Do not allow solvents or detergents to flow to the storm water. Collect rinseate that contains oils and/or solvents and detergents.
- Provide safety for normal operations to continue during response time or limit operations, if required.

Large spills or spills that have the potential to enter the environment may require the support of an outside contractor.

4.5 Erosion & Sediment Controls

The NPDES permit requires exposed areas to be stabilized and runoff contained using structural and/or nonstructural control measures to minimize onsite erosion and sedimentation (E&S), and the resulting discharge of pollutants. Flow velocity dissipation devices shall be placed at discharge locations and outfall channels where necessary to reduce erosion and/or settle out pollutants. Multiple websites are listed in the permit as sources for selecting, designing and installing appropriate controls.

4.6 Management of Runoff

The NPDES permit requires the permittee to divert, infiltrate, reuse, contain or otherwise reduce storm water runoff to minimize pollutants in discharges.

4.7 Salt Storage Piles & Piles Containing Salt

The NPDES permit requires piles of salt or piles containing salt (for deicing, paved surface maintenance or any other commercial or industrial purpose) to be enclosed or covered and appropriate measures (good housekeeping, diversions, containment) shall be implemented to minimize exposure resulting from adding to or removing materials from the pile.

4.8 Sector-Specific Requirements

West Carrollton S&G is subject to the following number effluent limits based on Effluent Limitations Guidelines:

Regulated Activity	40 CFR Part/Subpart	Effluent Limit
Mine dewatering discharges at crushed stone mining facilities	40 CFR 436	pH 6.5-9.0

4.9 Employee Training

The NPDES permit requires annual training for all employees who work in areas where industrial materials/activities are exposed to storm water or who are responsible for implementing activities necessary to meet conditions of the permit (e.g., maintenance personnel, Pollution Prevention Team). Training shall cover controls/BMPs, monitoring, inspection planning, reporting and documentation.

4.10 Authorized Non-Storm Water Discharges

The NPDES permit requires elimination of all non-storm water discharges (NSWDs) not authorized. The following are the non-storm water discharges authorized under the NPDES permit:

- Discharges from fire-fighting activities (not planned exercises);
- Fire hydrant flushings;
- Potable water, including water line flushings;
- Uncontaminated condensate from air conditioners, coolers/chillers, and other compressors and from the outside storage of refrigerated gases or liquids;
- Irrigation drainage;
- Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with the approved labeling;
- Pavement wash waters where no detergents or hazardous cleaning products are used (e.g., bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc.), and the wash waters do not come into contact with oil and grease deposits, sources of pollutants associated with industrial activities (see Part IV.J.2), or any other toxic or hazardous materials, unless residues are first cleaned up using dry clean-up methods (e.g., applying absorbent materials and sweeping, using hydrophobic mops/rags) and you

have implemented appropriate control measures to minimize discharges of mobilized solids and other pollutants (e.g., filtration, detention, settlement);

- Routine external building washdown/power wash water that does not use detergents or hazardous cleaning products (e.g., those containing bleach, hydrofluoric acid, muriatic acid, sodium hydroxide, nonylphenols, etc);
- Uncontaminated ground water or spring water;
- Foundation or footing drains where flows are not contaminated with process materials; and
- Incidental windblown mist from cooling towers that collect on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower (e.g., “piped” cooling tower blowdowns or drains).

4.11 Waste, Garbage & Floatable Debris

The NPDES permit requires keeping exposed areas free of waste, garbage, and floatable debris or interception of same prior to discharge to receiving waters.

4.12 Dust Generation & Vehicle Tracking of Industrial Materials

The NPDES permit requires minimization of dust generation and off-site tracking of raw, final, or waste materials. Unpaved roadways and storage piles are inspected daily to ensure adequate moisture to prevent fugitive emissions. Unpaved haul roads on site are maintained to minimize mud accumulation.

5.0 SCHEDULES & PROCEDURES

The NPDES permit requires documentation in the SWPPP (provided in Table 2) of the following items related to control measures/BMPs and effluent limits:

- a. **Pertaining to Control Measures used to Comply with the Control Measures/Best Management Practices (BMPs).** The following shall be documented in your SWPPP:
 - i. **Good Housekeeping (See Part IV.C.2)** – A schedule for regular pickup and disposal of waste materials, along with routine inspections for leaks and conditions of drums, tanks and containers.
 - ii. **Maintenance (See Part IV.C.3)** – Preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, to avoid situations that may result in leaks, spills, and other releases, and any back-up practices in place should a runoff event occur while a control measure is off-line;
 - iii. **Spill Prevention and Response Procedures (See Part IV.C.4)** – Procedures for preventing and responding to spills and leaks. You may reference the existence of other plans for Spill Prevention Control and Countermeasure (SPCC) developed for the facility under Section 311 of the CWA or BMP programs otherwise required by an NPDES permit for the facility, provided that you keep a copy of that other plan onsite (hard copy or electronic) and make it available for review consistent with Part IV.J.5; and
 - iv. **Employee Training (See Part IV.C.9)** – A schedule for all types of necessary training.

Table 2: Schedules & Procedures		
Requirement	Compliance Documentation	
<i>Spill Prevention & Response:</i> Procedures for spill/leak prevention & response	See Section 4.4 for general procedure	
<i>Employee Training:</i> Train employees responsible for implementing permit conditions	<i>personnel</i> mtc. employees inspector/sampler	<i>frequency</i> annually annually
* inspection forms contain corrective action & followup procedures for outages identified		

7.0 ANALYTICAL MONITORING

The NPDES permit requires documentation of procedures for conducting analytical monitoring as required by the permit. For monitoring, the following shall be documented, and is presented in Table 3:

- Sample location (including substantially identical determinations)
- Analytical parameters & sample frequency
- Schedule
- Numeric control values applicable to discharges from outfalls
- Procedures (staff, logistics, lab, etc.) for gathering storm event data

All monitoring shall be in accordance with 40 CFR Part 136 and analytical quantitation limits shall be at or below control values for all parameters analyzed.

All analytical monitoring data shall be submitted to Ohio EPA via the online electronic discharge monitoring report (eDMR) system website by the 20th day of the month following the month of interest.

Table 3: Monitoring & Assessment Schedule	
Monitoring-Monthly	
Outfalls:	001
Frequency:	Twice per month
Analytical Parameters:	pH, TSS, flow
Discharge Limitations:	pH 9.0-6.5 TSS 45 mg/l (max)' 30 mg/l monthly
Laboratory:	Alloway Labs
Sampler:	Trevor Burlile or designee

8.0 INSPECTIONS & ANNUAL REPORT

The NPDES permit requires the following inspections and documentation of procedures for performing them.

8.1 Routine Facility Inspections

The NPDES permit requires routine facility inspections at least quarterly, of all areas where industrial materials or activities are exposed to storm water, and of all storm water control measures used to comply with the permit. The inspections will be conducted when the facility is in operation and include participation of at least one member of the P2 Team. At least once each calendar year, the inspection will be conducted when storm water discharge is occurring. Inspection will include all areas where industrial materials or activities are exposed to storm water, as well as all storm water control measures. Inspection documentation must include:

- date and time,
- name(s) and signature(s) of inspectors
- weather and description of discharges occurring at time of inspection,
- previously unidentified discharges of pollutants from the site,
- control measures needing maintenance or repair,
- failed control measures needing replacement,
- incidents of noncompliance observed, and
- additional controls to comply with the permit requirements.

The above information is included in the Monthly Inspection Form in Appendix C, including locations to be inspected, responsible person, and corrective action procedures.

For inactive and unstaffed sites, such as Jones Sand & Gravel, the requirement to conduct routine facility inspections does not apply as long as there is no industrial materials or activities exposed to stormwater and a signed certification statement is included SWPPP. See pg. ii for this certification.

9.0 CORRECTIVE ACTIONS

Control measures must be *reviewed and revised* if any of the following conditions occur, to ensure the condition is eliminated and will not be repeated in the future:

- unauthorized release or discharge,
- discharge violates a numeric effluent limit,
- it is determined that current control measures are not stringent enough for the discharge to meet applicable water quality standards.
- Ohio EPA or a local MS4 operator determines that modifications to the control measures are necessary to meet the control measures/best management practices (BMPs) in this permit; or
- during inspections/assessments, control measures are found not to be properly maintained/operated.

Control measures must be *reviewed* to determine if modifications are necessary if any of the following conditions occur:

Construction or a change in design, operation, or maintenance at your facility significantly changes the nature of pollutants discharged in storm water from your facility, or significantly increases the quantity of pollutants discharged.

Corrective Action Deadline. Corrective Action documentation is required in the Annual Report for corrective actions. The question numbers below refer to the questions in the Corrective Action section of the Annual Report. These questions are listed on the Monthly Inspection Form to

document the presence or absence of the need for corrective action as a result of each inspection and to facilitate follow up and completion of the Annual Report.

Within 24 hours of discovery of conditions requiring corrective action (identified above), the following must be documented:

- condition triggering the need for corrective action review,
- description of the problem identified, and
- date problem was identified.

Within 30 days of discovery of conditions requiring corrective action, the following must be documented:

- summary of corrective actions taken or to be taken or in the case that no corrective actions are necessary, provide a basis for determination,
- whether SWPPP modification is required,
- date corrective initiated, and
- date corrective action completed or expected to be completed.

10.0 NOTIFICATIONS

10.1 Internal Notification

Facility Emergency Contacts, agencies requiring notification, contact requirements and phone numbers are listed on Page i of this plan.

Once or while a spill or other emergency has been detected and controlled, personnel should notify the Emergency Coordinator or Alternate Emergency Coordinator.

The Emergency Coordinator will assess the situation and initiate response procedures and/or evacuate the area if necessary. The Emergency Coordinator or designated alternate will determine if local responding agencies or the outside emergency spill response clean up contractor must be contacted.

10.2 External Notification

Depending on the extent of the spill of a hazardous substance, state and federal regulations require notification of a release to specific agencies.

10.2.1 Verbal Notifications

State & Local Notifications. When there is a release of a hazardous substance, extremely hazardous substance or oil at or above the reportable quantity in any 24-hour period, Ohio EPA DERR, fire department and LEPC must be verbally notified within **30 minutes**. (OAC 3750-25-25)

When verbal notification of a spill or threatened release to a state or local agency is required, the following items at a minimum should be reported to the extent they are known:

- Identity of caller & contact name/number for person to call for further information
- Exact location, date, time and duration of spill, release or threatened release
- Location of threatened or involved waterway or storm drains & media involved
- Substance, quantity involved, and isotope if necessary

- Chemical name (if known, if the chemical is extremely hazardous)
- Source of release and description of what happened
- Health risks and precautions/response actions related to the substance released

The information above is the sum of information required per ORC 3750.06, OAC 3750-25-25.

24-Hour Noncompliance Report. Ohio EPA must be notified orally within **24 hours** of any noncompliance that endangers health or the environment.

National Response Center Notification. When there is a release of a harmful quantity of oil to U.S. navigable waters, the National Response Center must be **immediately** notified. "Harmful quantity" is defined as any quantity of discharged oil that violates state water quality standards, causes a film or sheen on the water's surface, or leaves sludge or emulsion beneath the surface.

The following items are required to be reported to the extent they are known:

- Name, organization, and telephone number
- Name and address of the party responsible for the incident
- Date and time of the incident
- Location of the incident
- Source and cause of the discharge
- Types of material(s) discharged
- Quantity of materials discharged
- Danger or threat posed by the discharge
- Number and types of injuries (if any)
- Weather conditions at the incident location
- Other information to help emergency personnel respond to the incident.

10.2.2 Written Reports

Spill/Release Report. A written report must be provided to the Ohio EPA DERR and LEPC within **30 days** from a spill/release of a hazardous/extremely hazardous substance or oil at or above reportable quantity. Information to provide in the report includes information reported verbally, as well as time and date of discovery, actions taken to respond to the release and prevent recurrence, medical advice for exposures, Ohio EPA and NRC case numbers, facility address, coordinates of release location, waterway and length impacted, surface area impacted, any monitoring information/lab data to include methods, amount of material recovered, chronological summary of incident including any agency communications, manifests, and extenuating circumstances which caused the release/spill. (ORC 3750.06 and OAC 3750-25-25)

Ohio EPA DERR:
 Attn: ER Records Management
 Lazarus Government Center
 50 West Town Street, Suite 700
 PO Box 1049
 Columbus, OH 43216-1049

Shelby County LEPC/EMA
 Information Coordinator
 800 Fair Road
 Sidney, OH 45365

Significant Additional Information. If significant additional information related to the spill/release becomes known after submittal of the written report but within one year of the release, an updated written notice must be submitted to Ohio EPA DERR and the LEPC within three days of learning of the additional information. (ORC 3750.06 and OAC 3750-25-25)

Noncompliance Report. A written report must be provided to the Ohio EPA District Office (address provided below) within **5 business days** of the time the facility becomes aware of a circumstance of noncompliance that endangers health or the environment. Information to report includes description and cause, date, time & duration of noncompliance, and if not corrected, provide steps taken or to be taken to regain compliance.

Ohio EPA Southwest District Office:
 Attn: Storm Water Coordinator
 401 East Fourth Street
 Dayton, OH 45202

11.0 PLAN REVISIONS, CERTIFICATIONS & AVAILABILITY

Revisions. The NPDES permit requires a SWPPP modification whenever necessary to address triggering conditions requiring corrective actions and to ensure that they do not reoccur, or to reflect changes to control measures or BMPs.

Certifications & Signatures. The SWPPP must be *signed* and dated in accordance with Part III, Item 28, of the permit and be retained on-site. The SWPPP signature and certification is provided on Page ii of this document.

Availability. The NPDES permit requires that a current copy of the SWPPP be retained onsite and be immediately available to Ohio EPA, a local agency approving storm water management plans, and the operator of an MS4 receiving discharges from the site. Ohio EPA may provide access to portions of the SWPPP to a member of the public upon request. The current SWPPP or certain information from the current SWPPP shall be made available to the public.

Inspection. The NPDES requires the facility to allow, at reasonable times, authorized representatives of Ohio EPA or other designated representatives upon presentation of credentials and other documents, entrance to the facility to inspect facilities, operations and controls related to the NPDES; access to sample or monitor for the purpose of permit compliance or per ORC 6111 or CWA; and access to required NPDES records for review or copy.

PLAN REVISION HISTORY

Revision No.	Description	Date
0	Initial Plan Development & Implementation	2018
1	Review and updates to existing SPCC/SWPPP to make corrections	March 2022
2	Replaced diesel fuel tank. Previously had a combined SWPPP/SPCC plan. Separated plans and made updates to include larger tank.	April 2023
3	Updated Alternate EC contact information. Also updated maps to include recently	January 2026

	purchased property that will increase mining area.	

12.0 REFERENCES & RECORDS

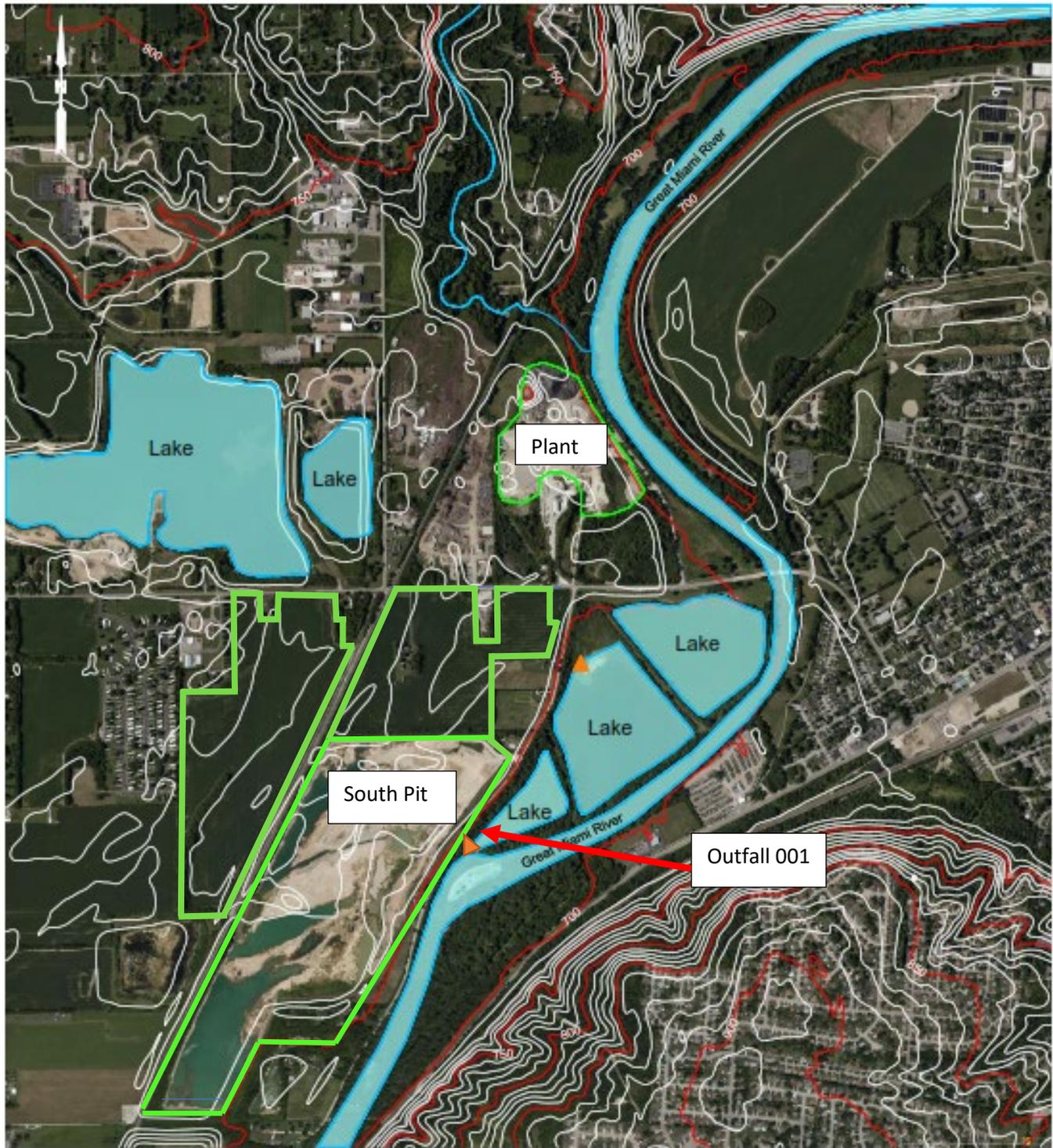
Any procedures or other plans or documents that are referenced in the SWPPP must be available onsite in either hard copy or electronic format, but are not required to be kept with the SWPPP.

The following records are required to be kept up-to-date to demonstrate implementation and full compliance with the NPDES permit. All required records and SWPPP revisions must be retained for 3 years after the date that coverage under the permit expires or is terminated.

- All sampling and analytical records (including internal sampling data not reported);
- All original recordings for any continuous monitoring instrumentation;
- All instrumentation, calibration and maintenance records;
- All plant operation and maintenance records;
- All reports required by this permit; and
- Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

APPENDIX A

FIGURES

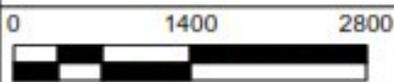


▲ Discharge

— Facility

Contour Intervals = 10'

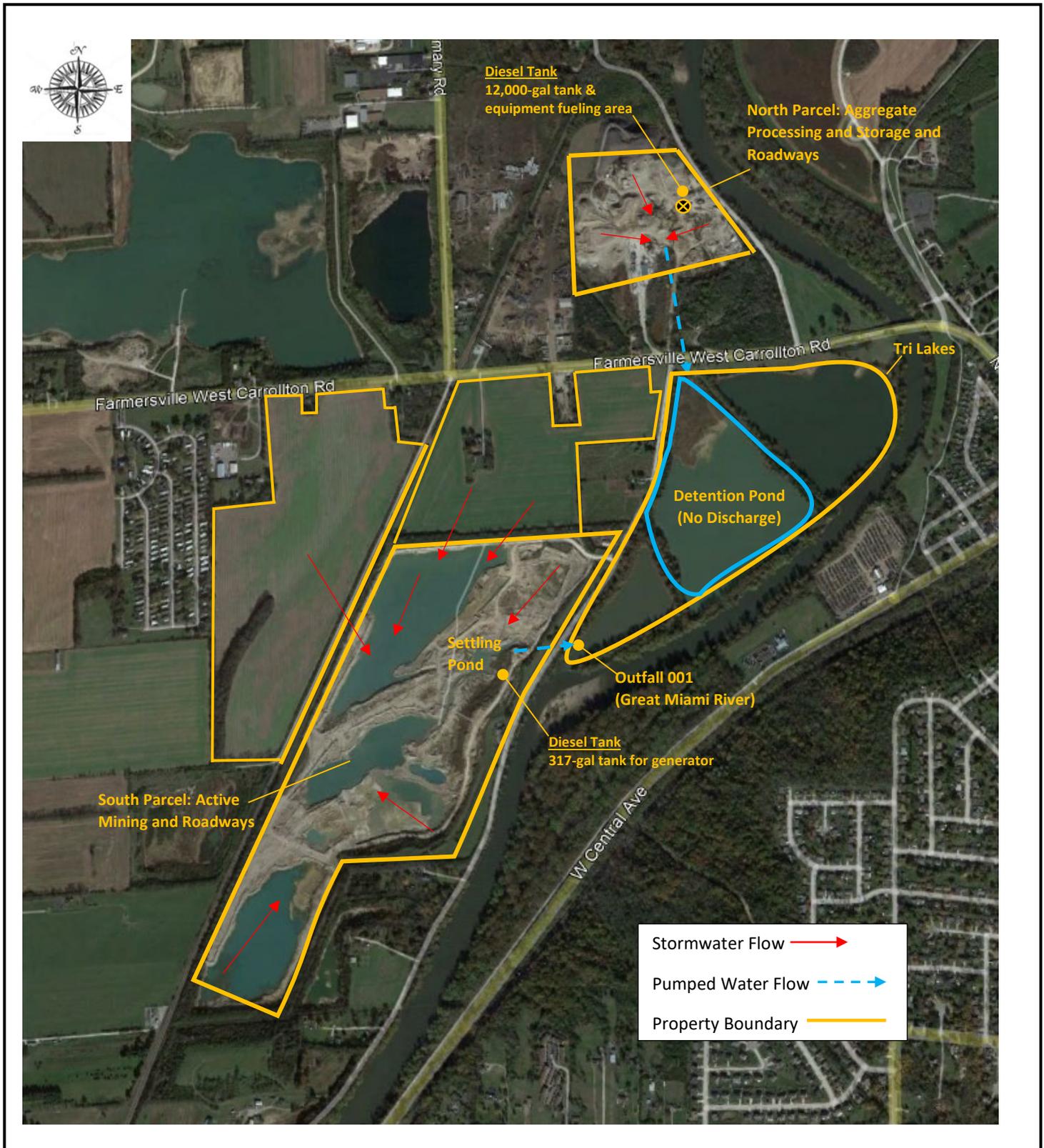
Scale:
1"=1,400'



West Carrollton Sand & Gravel

Topography map of West Carrollton S&G depicting outfalls and water bodies.

Date:	1/19/26
Drawn By:	JTG
Sheet:	1:1



⊗ area where bulk oil are loaded/unloaded and equipment fueling

Figure 2: Drainage Map

Barrett Paving Materials, Inc. – West Carrollton S&G
 4710 Soldiers Home-West Carrollton Rd.
 West Carrollton, OH 45439



A COLAS COMPANY

APPENDIX B

NPDES Permit 11J00140

Ohio EPA Permit No. 11J00140*BD
Application No. OH0147851

Action Date: May `12, 2023
Effective Date: June 1, 2023
Expiration Date: May 31, 2028

Ohio Environmental Protection Agency
Authorization to Discharge 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. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Barrett Paving Materials Inc. - South Pit

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the Barrett Paving Materials, Inc. - South Pit located at 4710 Soldiers Home-West Carrollton Road, West Carrollton, Ohio, Montgomery County and discharging to Great Miami River in accordance with the conditions specified in Parts I, II, III, IV, V and VI of this permit.

I have determined that a lowering of water quality in the Great Miami River is necessary. 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 appropriate intergovernmental comments.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Anne M. Vogel
Director

Part I, A. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date of this permit, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from outfall 11J00140001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations							Monitoring Requirements		
	Concentration Specified Units				Loading* kg/day			Measuring Frequency	Sampling Type	Monitoring Months
	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly			
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1 / 2 Weeks	Grab	All
00530 - Total Suspended Solids - mg/l	45	-	-	30	-	-	-	1 / 2 Weeks	Grab	All
50050 - Flow Rate - MGD	-	-	-	-	-	-	-	When Disch.	24hr Total Estimate	All

Notes for Station Number 11J00140001:

- a. Sampling shall be performed when discharging. If NO DISCHARGE OCCURS DURING THE ENTIRE MONTH, report "AL" in the first column of the first day of the month on the 4500 Form (Monthly Operating Report). A signature is still required.
- b. Total Suspended Solids and pH - See Part II, Item E.
- c. See Parts IV, V and VI for storm water control requirements.

Part II, OTHER REQUIREMENTS

A. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
11J00140001	Final effluent after settling basin prior to Great Miami River (Lat: 39 N 40' 60"; Long: 84 W 16' 21")

B. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved.

1. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit;
or
2. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

C. Water quality based permit limitations in this permit may be revised based on updated wasteload allocations or use designation rules. This permit may be modified, or revoked and reissued, to include new water quality based effluent limits or other conditions that are necessary to comply with a revised wasteload allocation, or an approved total maximum daily loads (TMDL) report as required under Section 303 (d) of the Clean Water Act.

D. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

E. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

F. Outfall Signage

The permittee shall maintain a permanent marker on the stream bank at each outfall that is regulated under this NPDES permit. This includes final outfalls, bypasses, and combined sewer overflows. The sign shall include, at a minimum, the name of the establishment to which the permit was issued, the Ohio EPA permit number, and the outfall number and a contact telephone number. The information shall be printed in letters not less than two inches in height. The sign shall be a minimum of 2 feet by 2 feet and shall be a minimum of 3 feet above ground level. The sign shall not be obstructed such that persons in boats or persons swimming on the river or someone fishing or walking along the shore cannot read the sign. Vegetation shall be periodically removed to keep the sign visible. If the outfall is normally submerged the sign shall indicate that. If the outfall is a combined sewer outfall, the sign shall indicate that untreated human sewage may be discharged from the outfall during wet weather and that harmful bacteria may be present in the water. When an existing sign is replaced or reset, the new sign shall comply with the requirements of this section.

PART III - GENERAL CONDITIONS

1. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or *E.coli* bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or *E.coli* bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"Net Load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition, samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.

"MGD" means million gallons per day.

"mg/l" means milligrams per liter.

"ug/l" means micrograms per liter.

"ng/l" means nanograms per liter.

"S.U." means standard pH unit.

"kg/day" means kilograms per day.

"Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Quarterly (1/Quarter) sampling frequency" means the sampling shall be done in the months of March, June, August, and December, unless specifically identified otherwise in the Effluent Limitations and Monitoring Requirements table. "Yearly (1/Year) sampling frequency" means the sampling shall be done in the month of September, unless specifically identified otherwise in the effluent limitations and monitoring requirements table.

"Semi-annual (2/Year) sampling frequency" means the sampling shall be done during the months of June and December, unless specifically identified otherwise.

"Winter" shall be considered to be the period from November 1 through April 30.

"Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

"Summer" shall be considered to be the period from May 1 through October 31.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"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.

"Sewage sludge" means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works as defined in section 6111.01 of the Revised Code. "Sewage sludge" includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes. "Sewage sludge" does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of domestic sewage in a treatment works, animal manure, residue generated during treatment of animal manure, or domestic septage.

"Sewage sludge weight" means the weight of sewage sludge, in dry U.S. tons, including admixtures such as liming materials or bulking agents. Monitoring frequencies for sewage sludge parameters are based on the reported sludge weight generated in a calendar year (use the most recent calendar year data when the NPDES permit is up for renewal).

"Sewage sludge fee weight" means the weight of sewage sludge, in dry U.S. tons, excluding admixtures such as liming materials or bulking agents. Annual sewage sludge fees, as per section 3745.11(Y) of the Ohio Revised Code, are based on the reported sludge fee weight for the most recent calendar year.

2. GENERAL EFFLUENT LIMITATION

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam, or sheen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growth become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by Ohio EPA as specified in the Paragraph in the PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

- A. Monitoring data required by this permit shall be submitted monthly on Ohio EPA 4500 Discharge Monitoring Report (DMR) forms using the electronic DMR (e-DMR) internet application. e-DMR allows permitted facilities to enter, sign, and submit DMRs on the internet. e-DMR information is found on the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>

B. DMRs shall be signed by a facility's Responsible Official or a Delegated Responsible Official (i.e. a person delegated by the Responsible Official). The Responsible Official of a facility is defined as:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (a) 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 (b) 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 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.
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
3. In the case of a municipal, state or other public facility, by either the principal executive officer, the ranking elected official or other duly authorized employee.

For e-DMR, the person signing and submitting the DMR will need to obtain an eBusiness Center account and Personal Identification Number (PIN). Additionally, Delegated Responsible Officials must be delegated by the Responsible Official, either on-line using the eBusiness Center's delegation function, or on a paper delegation form provided by Ohio EPA. For more information on the PIN and delegation processes, please view the following web page:

<https://epa.ohio.gov/divisions-and-offices/surface-water/guides-manuals/edmr-pin-information-and-application>

C. DMRs submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.

D. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified in Section 5. SAMPLING AND ANALYTICAL METHODS, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

E. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported to the Ohio EPA, but records shall be retained as specified in Section 7. RECORDS RETENTION.

5. SAMPLING AND ANALYTICAL METHOD

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place and date of sampling; (time of sampling not required on EPA 4500)
- B. The person(s) who performed the sampling or measurements;
- C. The date the analyses were performed on those samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements.

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years except those records that pertain to sewage sludge disposal, use, storage, or treatment, which shall be kept for a minimum of five years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records;
- D. All plant operation and maintenance records;
- E. All reports required by this permit; and
- F. Records of all data used to complete the application for this permit for a period of at least three years, or five years for sewage sludge, from the date of the sample, measurement, report, or application.

These periods will be extended during the course of any unresolved litigation, or when requested by the Regional Administrator or the Ohio EPA. The three year period, or five year period for sewage sludge, for retention of records shall start from the date of sample, measurement, report, or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate district offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be considered confidential.

9. DUTY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking, and reissuing, or terminating the 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.

10. RIGHT OF ENTRY

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

A. 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.

B. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit.

C. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.

D. 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.

11. UNAUTHORIZED DISCHARGES

A. Bypass Not Exceeding Limitations - The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 11.B and 11.C.

B. Notice

1. Anticipated Bypass - If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.

2. Unanticipated Bypass - The permittee shall submit notice of an unanticipated bypass as required in paragraph 12.B (24 hour notice).

C. Prohibition of Bypass

1. Bypass is prohibited, and the Director may take enforcement action against a permittee for bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The permittee submitted notices as required under paragraph 11.B.

2. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above in paragraph 11.C.1.

12. NONCOMPLIANCE NOTIFICATION

A. Exceedance of a Daily Maximum Discharge Limit

1. The permittee shall report noncompliance that is the result of any violation of a daily maximum discharge limit for any of the pollutants listed by the Director in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
Southwest District Office: swdo24hournpdes@epa.ohio.gov
Northwest District Office: nwdo24hournpdes@epa.ohio.gov
Northeast District Office: nedo24hournpdes@epa.ohio.gov
Central District Office: cdo24hournpdes@epa.ohio.gov
Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/individual-wastewater-discharge-permits>

Or, the permittee may report to the appropriate Ohio EPA district office by telephone toll-free between 8:00 AM and 5:00 PM as follows:

Southeast District Office: (800) 686-7330
Southwest District Office: (800) 686-8930
Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The limit(s) that has been exceeded;
- c. The extent of the exceedance(s);
- d. The cause of the exceedance(s);
- e. The period of the exceedance(s) including exact dates and times;
- f. If uncorrected, the anticipated time the exceedance(s) is expected to continue; and,
- g. Steps taken to reduce, eliminate or prevent occurrence of the exceedance(s).

B. Other Permit Violations

1. The permittee shall report noncompliance that is the result of any unanticipated bypass resulting in an exceedance of any effluent limit in the permit or any upset resulting in an exceedance of any effluent limit in the permit by e-mail or telephone within twenty-four (24) hours of discovery.

The permittee may report to the appropriate Ohio EPA district office e-mail account as follows (this method is preferred):

Southeast District Office: sedo24hournpdes@epa.ohio.gov
Southwest District Office: swdo24hournpdes@epa.ohio.gov
Northwest District Office: nwdo24hournpdes@epa.ohio.gov
Northeast District Office: nedo24hournpdes@epa.ohio.gov
Central District Office: cdo24hournpdes@epa.ohio.gov
Central Office: co24hournpdes@epa.ohio.gov

The permittee shall attach a noncompliance report to the e-mail. A noncompliance report form is available on the following web site under the Monitoring and Reporting - Non-Compliance Notification section:

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Northwest District Office: (800) 686-6930
Northeast District Office: (800) 686-6330
Central District Office: (800) 686-2330
Central Office: (614) 644-2001

The permittee shall include the following information in the telephone noncompliance report:

- a. The name of the permittee, and a contact name and telephone number;
- b. The time(s) at which the discharge occurred, and was discovered;
- c. The approximate amount and the characteristics of the discharge;
- d. The stream(s) affected by the discharge;
- e. The circumstances which created the discharge;
- f. The name and telephone number of the person(s) who have knowledge of these circumstances;
- g. What remedial steps are being taken; and,
- h. The name and telephone number of the person(s) responsible for such remedial steps.

2. The permittee shall report noncompliance that is the result of any spill or discharge which may endanger human health or the environment within thirty (30) minutes of discovery by calling the 24-Hour Emergency Hotline toll-free at (800) 282-9378. The permittee shall also report the spill or discharge by e-mail or telephone within twenty-four (24) hours of discovery in accordance with B.1 above.

C. When the telephone option is used for the noncompliance reports required by A and B, the permittee shall submit to the appropriate Ohio EPA district office a confirmation letter and a completed noncompliance report within five (5) days of the discovery of the noncompliance. This follow up report is not necessary for the e-mail option which already includes a completed noncompliance report.

D. If the permittee is unable to meet any date for achieving an event, as specified in a schedule of compliance in their permit, the permittee shall submit a written report to the appropriate Ohio EPA district office within fourteen (14) days of becoming aware of such a situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken;
4. The probable date by which compliance will occur; and, 5. The probability of complying with subsequent and final events as scheduled.

E. The permittee shall report all other instances of permit noncompliance not reported under paragraphs A or B of this section on their monthly DMR submission. The DMR shall contain comments that include the information listed in paragraphs A or B as appropriate.

F. If the permittee becomes aware that it failed to submit an application, or submitted incorrect information in an application or in any report to the director, it shall promptly submit such facts or information.

13. RESERVED

14. 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.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act and Ohio Revised Code Sections 6111.09 and 6111.99.

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA district office as soon as practicable:

A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition, and/or expansion that will change the capacity or efficiency of the plant;

2. The addition of any new significant industrial discharge; and

3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code, require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

D. In addition to the reporting requirements under 40 CFR 122.41(l) and per 40 CFR 122.42(a), all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge on a routine or frequent basis of any toxic pollutant which is not limited in the permit. If that discharge will exceed the highest of the "notification levels" specified in 40 CFR Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the "notification levels" specified in 122.42(a)(2)(i) through 122.42(a)(2)(iv).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
3. Change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.

B. Pursuant to rule 3745-33-04, Ohio Administrative Code, the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA district office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit may be transferred or assigned and a new owner or successor can be authorized to discharge from this facility, provided the following requirements are met:

A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA district office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA district office sixty (60) days prior to the proposed date of transfer;

B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittee (including acknowledgement that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA district office within sixty days after receipt by the district office of the copy of the letter from the permittee to the succeeding owner;

At any time during the sixty (60) day period between notification of the proposed transfer and the effective date of the transfer, the Director may prevent the transfer if he concludes that such transfer will jeopardize compliance with the terms and conditions of the permit. If the Director does not prevent transfer, he will modify the permit to reflect the new owner.

20. 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 Clean Water Act.

21. SOLIDS DISPOSAL

Collected grit and screenings, and other solids other than sewage sludge, shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state, and in accordance with all applicable laws and rules.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or UPSETS, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

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 established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Clean Water Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

26. 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 III, Paragraph 1, DEFINITIONS.

27. 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.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22.

29. OTHER INFORMATION

A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

B. ORC 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

C. ORC 6111.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.

D. ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than \$25,000 or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c) states that 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 conditions of this permit.

31. APPLICABLE FEDERAL RULES

All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.

32. AVAILABILITY OF PUBLIC SEWERS

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Part IV. Storm Water Control Measures

In Part IV and in Part VI, the term “minimize” means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.

Documentation Requirements. You are required to keep all documents related to compliance with this permit including inspections, training, pollutant sources and storm water management controls.

A. Additional Requirements

Beginning on the effective date of this permit, or, if the facility has yet to discharge, following the initial discharge, you shall complete the additional requirements below.

1. Routine Facility Inspections.

You shall document your procedures for performing routine inspections.

- a. Conduct routine facility inspections of all areas of the facility where industrial materials or activities are exposed to storm water. Routine facility inspections shall be conducted at least quarterly. Perform these inspections during periods when the facility is in operation.

You shall document the findings of each routine facility inspection performed and maintain this documentation onsite. At a minimum, your documentation of each routine facility inspection shall include:

- a. The inspection date;
 - b. The name(s) of the inspector(s);
 - c. Weather information and a description of any discharges occurring at the time of the inspection;
 - d. The areas inspected, notable observations, and any relevant maintenance or repairs.
- b. Exceptions to Routine Facility Inspections:

Inactive and Unstaffed Sites: The requirement to conduct routine facility inspections on a quarterly basis does not apply at a facility that is inactive and unstaffed. If circumstances change and your facility becomes active and/or staffed, this exception no longer applies and you shall immediately resume quarterly facility inspections. If you are not qualified for this exception at the time you are authorized under this permit, but during the permit term you become qualified because your facility is inactive and unstaffed, then you are no longer required to complete routine facility inspections until the facility becomes active and or staffed.

Inactive and unstaffed facilities with a Standard Industrial Classification (SIC) code in Major Groups 14 (Non-Metallic Mineral Mining and Dressing), 29 (Asphalt Paving and Roofing Materials and Lubricant Manufacturing), or 32 (Glass, Clay, Cement, Concrete, and Gypsum Products), are not required to meet the “no industrial materials or activities exposed to storm water” standard to be eligible for this exception from routine inspections.

2. Description of Potential Pollutant Sources. You shall document at your facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released. Industrial materials or activities, include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and

processes: and intermediate products, by-products, final product or waste product. For each area identified, the description shall include, at a minimum:

- a. Site Description shall include:
 - i. A general location map (e.g. U.S. Geologic Survey (USGS) quadrangle map) with enough detail to identify the location of your facility and all receiving waters for your storm water discharges.
 - ii. A site map showing
 - The property boundary;
 - Directions of storm water flow (use arrows);
 - Locations of all receiving waters in the immediate vicinity of your facility;
 - Locations of potential pollutant sources;
 - Locations where significant spills or leaks identified have occurred;
 - Locations of outfalls, with a unique identification code for each outfall (e.g. Outfall 001, Outfall 002, etc).
 - Municipal separate storm sewer systems, where your storm water discharges to them
 - Locations and descriptions of all non-storm water discharges identified;
 - Locations of the following activities where such activities are exposed to precipitation
 - Fueling stations;
 - Vehicle and equipment maintenance and/or cleaning areas;
 - Loading/unloading areas;
 - Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
 - Transfer areas for substances in bulk; and
 - Machinery.
- b. The site description
 - i. Shall be prepared within six months of the effective date of this permit or the initial discharge, whichever come later, and updated based on facility or materials handling changes; and

- ii. Shall provide for implementation and compliance with the site description within six months of the completion of the site description.
- c. Non-Storm Water Discharges. You shall document that you have evaluated for the presence of non-storm water discharges, and that all unauthorized discharges have been eliminated.

B. Sector-Specific Requirements

These sector-specific requirements are in addition to any requirements specified elsewhere in this permit.

1. Covered Storm Water Discharges.

- a. *Covered Discharges from Inactive Facilities.* All storm water discharges.
- b. *Covered Discharges from Active and Temporarily Inactive Facilities.* All storm water discharges, except for most storm water discharges subject to the existing effluent limitation guideline at 40 CFR Part 436. Mine dewatering discharges composed entirely of storm water or uncontaminated ground water seepage from: construction sand and gravel, industrial sand, and crushed stone mining facilities are covered by this permit.
- c. *Covered Discharges from Exploration and Construction of Non-Metallic Mineral Mining Facilities.* All storm water discharges.
- d. *Covered Discharges from Sites Undergoing Reclamation.* All storm water discharges.

2. Definitions.

The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

- a. *Mining operations* - Consists of the active and temporarily inactive phases, and the reclamation phase, but excludes the exploration and construction phases.
- b. *Exploration phase* - Entails exploration and land disturbance activities to determine the financial viability of a site. The exploration phase is not considered part of “mining operations.”
- c. *Construction phase* - Includes the building of site access roads and removal of overburden and waste rock to expose mineable minerals. The construction phase is not considered part of “mining operations”.
- d. *Active phase* - Activities including the extraction, removal or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of “active mining area” found at 40 CFR 440.132(a). The active phase is considered part of “mining operations.”
- e. *Reclamation phase* - Activities undertaken, in compliance with applicable mined land reclamation requirements, following the cessation of the “active phase”, intended to return the

land to an appropriate post-mining land use. The reclamation phase is considered part of "mining operations".

NOTE: The following definitions are not intended to supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii).

f. *Active Mineral Mining Facility* - A place where work or other activity related to the extraction, removal, or recovery of minerals is being conducted. For surface mines, this definition does not include any land where grading has returned the earth to a desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a).

g. *Inactive Mineral Mining Facility* - A site or portion of a site where mineral mining and/or milling occurred in the past but is not an active facility as defined above, and where the inactive portion is not covered by an active mining permit issued by the applicable State or Federal agency. An inactive mineral mining facility has an identifiable owner / operator. Sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined materials, and sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim are not considered either active or inactive mining facilities and do not require an NPDES industrial storm water permit.

h. *Temporarily Inactive Mineral Mining Facility* - A site or portion of a site where mineral mining and/or milling occurred in the past but currently are not being actively undertaken, and the facility is covered by an active mining permit issued by the applicable State or Federal agency.

i. *Final Stabilization* - a site or portion of a site is "finally stabilized" when it has implemented all applicable Federal and State reclamation requirements or all soil disturbing activities at the site are complete and a uniform perennial vegetative cover with a density of at least 70% cover for the area has been established or equivalent stabilization measures have been employed.

j. *Temporary Stabilization* – the establishment of temporary stabilization, mulching, geotextiles, sod, preservation of existing vegetation and other techniques capable of quickly establishing cover over disturbed areas to provide erosion control between construction activities.

k. *Uncontaminated* - Free from the presence of pollutants attributable to industrial activity.

3. Control Measures/Best Management Practices (BMPs) for Clearing, Grading, and Excavation Activities.

Clearing, grading, and excavation activities being conducted as part of the exploration and construction phase of mining activities are covered under this permit.

a. *Management Practices for Clearing, Grading, and Excavation Activities.*

- i. *Selecting and installing control measures.* For all areas affected by clearing, grading, and excavation activities, you shall select, design, install, and implement control measures.
 - ii. *Good Housekeeping.* Litter, debris, and chemicals shall be prevented from becoming a pollutant source in storm water discharges.
 - iii. *Retention and Detention of Storm Water Runoff.* For drainage locations serving more than one acre, sediment basins and/or temporary sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the development area unless a sediment basin providing storage for a calculated volume of runoff from a 2-year, 24-hour storm or 3,600 cubic feet of storage per acre drained is provided.
- b. *Inspection of Clearing, Grading, and Excavation Activities.*
- i. *Inspection Frequency.* Inspections shall be conducted either at least once every 7 calendar days or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. Inspection frequency may be reduced to at least once every month if the entire site is temporarily stabilized, if runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or the ground is frozen), or construction is occurring during seasonal arid periods in arid areas and semi-arid areas.
 - ii. *Location of Inspections.* Inspections shall include all areas of the site disturbed by clearing, grading, and/or excavation activities and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures implemented shall be observed to ensure proper operation. Discharge locations shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to surface waters of the State, where accessible. Where discharge locations are inaccessible, nearby downstream locations shall be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site shall be inspected for evidence of significant off-site sediment tracking.
 - iii. *Inspection Reports.* For each inspection required above, you shall complete an inspection report.
- c. *Requirements for Cessation of Clearing, Grading, and Excavation Activities.*
- i. *Inspections and Maintenance.* Inspections and maintenance of control measures, including any BMPs, associated with clearing, grading, and/or excavation activities being conducted as part of the exploration and construction phase of a mining operation shall continue until final stabilization has been achieved on all portions of the disturbed area or until the commencement of the active mining phase for those areas that have been temporarily stabilized as a precursor to mining

- ii. *Temporary Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where clearing, grading and/or excavation activities have temporarily ceased, but in no case more than 14 days after the clearing, grading and/or excavation activities in that portion of the site have temporarily ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has temporarily ceased, temporary vegetative stabilization measures shall be initiated as soon as practicable. Until temporary vegetative stabilization is achieved, interim measures such as erosion control blankets with an appropriate seed base and tackifiers shall be employed. In areas of the site, where exploration and/or construction has permanently ceased prior to active mining, temporary stabilization measures shall be implemented to minimize mobilization of sediment or other pollutants until such time as the active mining phase commences.
- iii. *Final Stabilization of Disturbed Areas.* Stabilization measures should be initiated immediately in portions of the site where mining, exploration, and/or construction activities have permanently ceased, but in no case more than 14 days after the exploration and/or construction activity in that portion of the site has permanently ceased. In arid, semiarid, and drought-stricken areas, or in areas subject to snow or freezing conditions, where initiating perennial vegetative stabilization measures is not possible within 14 days after mining, exploration, and/or construction activity has permanently ceased, final vegetative stabilization measures shall be initiated as soon as possible. Until final stabilization is achieved temporary stabilization measures, such as erosion control blankets with an appropriate seed base and tackifiers shall be used.

4. Additional Control Measures/Best Management Practices (BMPs).

- a. *Employee Training.* Conduct employee training at least annually at active and temporarily inactive sites.
- b. *Storm Water Controls.* If controls in addition to those in 3. above are necessary to minimize pollutant discharges, these may include, but are not limited to:
 - i. *Storm Water Diversions:* Consider diverting storm water away from potential pollutant sources. Following are some control measure options: interceptor or diversion controls (e.g., dikes, swales, curbs, or berms); pipe slope drains; subsurface drains; conveyance systems (e.g., channels or gutters, open-top box culverts, and waterbars; rolling dips and road sloping; roadway surface water deflector and culverts); or their equivalents.
 - ii. *Capping:* When capping is necessary to minimize pollutant discharges in storm water, identify the source being capped and the material used to construct the cap.
 - iii. *Discharge Management:* Management of storm water pollutants (e.g., chemical or physical systems, oil and water separators, artificial wetlands) is encouraged and may be necessary to protect water quality. Describe the control measures used and the

location of each management system. After control measures have been implemented to mitigate pollutants, runoff may then be discharged as a storm water source regulated under this permit provided the discharge is not combined with discharges subject to effluent limitation guidelines for the Mineral Mining and Processing Point Source Category (40 CFR Part 436).

- iv. *Reclamation*: The permittee shall reclaim all dams, dikes, diversions, drainage channels, and impoundments unless specified as permanent structures in the Mining and Reclamation Plan approved by the Division of Mineral Resources Management which is consistent with the Ohio Administrative Code 1501:14-3-11, administered by Ohio Department of Natural Resources.

5. Additional Documentation Requirements.

These requirements are applicable for sites undergoing exploration and construction, active mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation. These requirements are not applicable to inactive mineral mining facilities.

- a. *Nature of Industrial Activities*. The mining and associated activities that can potentially affect the storm water discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities.
- b. *Site Map*. Develop a map showing the locations of the following (as appropriate): mining or milling site boundaries; access and haul roads; outline of the drainage areas of each storm water outfall within the facility with indications of the types of discharges from the drainage areas; location(s) of all permitted discharges covered under an individual NPDES permit, outdoor equipment storage, fueling, and maintenance areas; materials handling areas; outdoor manufacturing, outdoor storage, and material disposal areas; outdoor chemicals and explosives storage areas; overburden, materials, soils, or waste storage areas; location of mine drainage dewatering or other process water; heap leach pads; off-site points of discharge for mine dewatering and process water; surface waters; boundary of tributary areas that are subject to effluent limitations guidelines; and location(s) of reclaimed areas.
- c. *Potential Pollutant Sources*. For each area of the mine or mill site where storm water discharges associated with industrial activities occur, document the types of pollutants (e.g., heavy metals, sediment) likely to be present in significant amounts. For example, phosphate mining facilities will likely need to document pollutants such as selenium, which can be present in significant amounts in their discharges. Consider these factors: the mineralogy of the waste rock (e.g., acid forming); toxicity and quantity of chemicals used, produced, or discharged; the likelihood of contact with storm water; vegetation of site (if any); and history of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock drainage, if suspected.
- d. *Storm Water Controls*. Document any control measures to the extent used. If control measures are implemented or planned but are not listed here (e.g., substituting a less toxic chemical for a more toxic one), include descriptions.

e. *Employee Training.* All employee training(s) conducted in accordance with Part IV.B.4.a shall be documented.

Part V. Monitoring and Reporting Requirements - Reserved

Part VI. Definitions and Acronyms

Action Area – all areas to be affected directly or indirectly by the storm water discharges, allowable non-storm water discharges, and storm water discharge-related activities, and not merely the immediate area involved in these discharges and activities.

Best Management Practices (BMPs) – schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to surface waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. See 40 CFR 122.2.

Co-located Industrial Activities – Any industrial activities, excluding your primary industrial activity(ies), located on-site that are defined by the storm water regulations at 122.26(b)(14)(i)-(ix) and (xi). An activity at a facility is not considered co-located if the activity, when considered separately, does not meet the description of a category of industrial activity covered by the storm water regulations or identified by the SIC code list in Appendix D.

Control Measure – refers to any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to surface waters of the State.

Director – the Director of the Ohio Environmental Protection Agency (Ohio EPA).

Discharge – when used without qualification, means the "discharge of a pollutant." See 40 CFR 122.2.

Discharge of a pollutant – any addition of any “pollutant” or combination of pollutants to “surface waters of the State” from any “point source,” or any addition of any pollutant or combination of pollutants to the waters of the “contiguous zone” or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation. This includes additions of pollutants into surface waters of the State from: surface runoff which is collected or channeled by man; discharges through pipes, sewers, or other conveyances, leading into privately owned treatment works. See 40 CFR 122.2.

Discharge-related activities – activities that cause, contribute to, or result in storm water and allowable non-storm water point source discharges, and measures such as the siting, construction and operation of BMPs to control, reduce, or prevent pollution in the discharges.

Drought-stricken area – a period of below average water content in streams, reservoirs, ground-water aquifers, lakes and soils.

U.S. EPA Approved or Established Total Maximum Daily Loads (TMDLs) – “U.S. EPA Approved TMDLs” are those that are developed by a State and approved by U.S. EPA. “U.S. EPA Established TMDLs” are those that are developed by U.S. EPA.

Existing Discharger – an operator applying for coverage under this permit for discharges authorized previously under an NPDES general or individual permit.

Facility or Activity – any NPDES “point source” (including land or appurtenances thereto) that is subject to regulation under the NPDES program. See 40 CFR 122.2.

Federal Facility – any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the federal government.

Illicit Discharge – is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not entirely composed of storm water, except discharges authorized under an NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Impaired Water (or “Water Quality Impaired Water” or “Water Quality Limited Segment”) – A water is impaired for purposes of this permit if it has been identified by a State or U.S. EPA pursuant to Section 303(d) of the Clean Water Act as not meeting applicable State water quality standards (these waters are called “water quality limited segments” under 40 CFR 30.2(j)). Impaired waters include both waters with approved or established TMDLs, and those for which a TMDL has not yet been approved or established.

Industrial Activity – the 10 categories of industrial activities included in the definition of “storm water discharges associated with industrial activity” as defined in 40 CFR 122.26(b)(14)(i)-(ix) and (xi).

Industrial Storm Water – storm water runoff from industrial activity.

Municipal Separate Storm Sewer – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2. See 40 CFR 122.26(b)(4) and (b)(7).

New Discharger – a facility from which there is a discharge, that did not commence the discharge at a particular site prior to August 13, 1979, which is not a new source, and which has never received a finally effective NPDES permit for discharges at that site. See 40 CFR 122.2.

New Source – any building, structure, facility, or installation from which there is or may be a “discharge of pollutants,” the construction of which commenced:

- after promulgation of standards of performance under section 306 of the CWA which are applicable to such source, or

- after proposal of standards of performance in accordance with section 306 of the CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal. See 40 CFR 122.2.

New Source Performance Standards (NSPS) – technology-based standards for facilities that qualify as new sources under 40 CFR 122.2 and 40 CFR 122.29.

No exposure – all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. See 40 CFR 122.26(g).

Ohio EPA – the Ohio Environmental Protection Agency.

Operator – any entity with a storm water discharge associated with industrial activity that meets either of the following two criteria:

- (i) The entity has operational control over industrial activities, including the ability to modify those activities; or
- (ii) The entity has day-to-day operational control of activities at a facility necessary to ensure compliance with the permit (e.g., the entity is authorized to direct workers at a facility to carry out activities required by the permit).

Person – an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. See 40 CFR 122.2.

Point source – 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 other 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. See 40 CFR 122.2.

Pollutant – dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water. See 40 CFR 122.2.

Pollutant of concern – A pollutant which causes or contributes to a violation of a water quality standard, including a pollutant which is identified as causing an impairment in a state's 303(d) list.

Primary industrial activity – includes any activities performed on-site which are (1) identified by the facility's primary SIC code; or (2) included in the narrative descriptions of 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). [For co-located activities covered by multiple SIC codes, it is recommended that the primary industrial determination be based on the value of receipts or revenues or, if such information is not available for a particular facility, the number of employees or production rate for each process may be compared. The operation that generates the most revenue or employs the most personnel is the operation in which the facility is primarily engaged. In situations where the vast majority of on-site activity falls within one SIC code, that activity may be the primary industrial activity.] Narrative descriptions in 40 CFR 122.26(b)(14) identified above include: (i) activities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards; (iv) hazardous waste treatment storage, or disposal facilities including those that are operating under interim status or a permit under subtitle C of the

Resource Conservation and Recovery Act (RCRA); (v) landfills, land application sites and open dumps that receive or have received industrial wastes; (vii) steam electric power generating facilities; and (ix) sewage treatment works with a design flow of 1.0 mgd or more.

Qualified Personnel – Qualified personnel are those who possess the knowledge and skills to assess conditions and activities that could impact storm water quality at your facility, and who can also evaluate the effectiveness of control measures.

Reportable Quantity Release – a release of a hazardous substance at or above the established legal threshold that requires emergency notification. Refer to 40 CFR Parts 110, 117, and 302 for complete definitions and reportable quantities for which notification is required.

Runoff coefficient – the fraction of total rainfall that will appear at the conveyance as runoff. See 40 CFR 122.26(b)(11).

Semi-Arid Climate – areas where annual rainfall averages from 10 to 20 inches.

Significant materials – includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with storm water discharges. See 40 CFR 122.26(b)(12).

Special Aquatic Sites – sites identified in 40 CFR 230 Subpart E. These are geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. These areas are generally recognized as significantly influencing or positively contributing to the general overall environmental health or vitality of the entire ecosystem of a region.

Storm Water – storm water runoff, snow melt runoff, and surface runoff and drainage. See 40 CFR 122.26(b)(13).

Storm Water Discharges Associated with Construction Activity – a discharge of pollutants in storm water runoff from areas where soil disturbing activities (e.g., clearing, grading, or excavating), construction materials, or equipment storage or maintenance (e.g., fill piles, borrow areas, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located. See 40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15).

Storm Water Discharges Associated with Industrial Activity – the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under Part 122. For the categories of industries identified in this section, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at part 401 of this chapter); sites used for

the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and final products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26(b)(14).

Surface Waters of the State - Means all streams, lakes, ponds, marshes, watercourses, waterways, springs, irrigation systems, drainage systems, and all other bodies or accumulations of surface water, natural or artificial, which are situated wholly or partly within, or border upon, this state, or are within its jurisdiction, except those private waters which do not combine or effect a junction with natural surface waters.

Total Maximum Daily Loads (TMDLs) – A TMDL is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes wasteload allocations (WLAs) for point source discharges; load allocations (LAs) for nonpoint sources and/or natural background, and shall include a margin of safety (MOS) and account for seasonal variations. (See section 303(d) of the Clean Water Act and 40 CFR 130.2 and 130.7).

Water Quality Impaired – See ‘Impaired Water’.

Water Quality Standards – A water quality standard defines the water quality goals of a water body, or portion thereof, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. States and U.S. EPA adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act (See CWA sections 101(a)2 and 303(c)). Water quality standards also include an antidegradation policy. See P.U.D. o. 1 of Jefferson County et al v. Wash Dept of Ecology et al, 511 US 701, 705 (1994).

“You” and “Your” – as used in this permit are intended to refer to the permittee, the operator, or the discharger as the context indicates and that party’s facility or responsibilities. The use of “you” and “your” refers to a particular facility and not to all facilities operated by a particular entity. For example, “you shall submit” means the permittee shall submit something for that particular facility. Likewise, “all your discharges” would refer only to discharges at that one facility.

ABBREVIATIONS AND ACRONYMS

BAT – Best Available Technology Economically Achievable
BOD5 – Biochemical Oxygen Demand (5-day test)
BMP – Best Management Practice
BPJ – Best Professional Judgment
BPT – Best Practicable Control Technology Currently Available
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CGP – Construction General Permit
COD – Chemical Oxygen Demand
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 *et seq*)
CWT – Centralized Waste Treatment
DMR – Discharge Monitoring Report
U.S. EPA – U. S. Environmental Protection Agency
FWS – U. S. Fish and Wildlife Service
LA – Load Allocations
MDMR – MSGP Discharge Monitoring Report
MGD – Million Gallons per Day
MOS – Margin of Safety
MS4 – Municipal Separate Storm Sewer System
MSDS – Material Safety Data Sheet
MSGP – Multi-Sector General Permit
NAICS – North American Industry Classification System
NMFS – U. S. National Marine Fisheries Service
NOI – Notice of Intent
NOT – Notice of Termination
NPDES – National Pollutant Discharge Elimination System
NRC – National Response Center
NTU – Nephelometric Turbidity Unit
OMB – U. S. Office of Management and Budget
ORW – Outstanding Resource Water
OSM – U. S. Office of Surface Mining
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
RQ – Reportable Quantity

SARA – Superfund Amendments and Reauthorization Act

SIC – Standard Industrial Classification

SMCRA – Surface Mining Control and Reclamation Act

SPCC – Spill Prevention, Control, and Countermeasures

SWPPP – Storm Water Pollution Prevention Plan

TMDL – Total Maximum Daily Load

TSDF – Treatment, Storage, or Disposal Facility

TSS – Total Suspended Solids

USGS – United States Geological Survey

WLA – Wasteload Allocation

WQS – Water Quality Standard

APPENDIX C

Forms

BARRETT PAVING - MID OHIO SWPPP QUARTERLY INSPECTION (INDIVIDUAL NPDES)

GENERAL INFORMATION

Inspection Date:

Created Date:

Job:

Inspection Sent:

Location:

Inspection

Inspection Type:

Received:

Inspector:

Recorded By:

Notes:

Summary:

INSPECTION ITEMS

Are the aboveground storage tanks protective of storm water?

Are the aboveground storage tanks free of leaks?

Are the mineral extraction, handling, and processing areas protective of storm water?

Are aggregate storage piles protective of storm water?

Are roadways protective of stormwater?

Are totes and containers protective of storm water?

Are totes and containers free of leaks?

Are oil-filled equipment protective of storm water?

Are oil-filled equipment free of leaks?



Are drainage ditches, settling ponds, and outfalls protective of storm water?	
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DOCUMENTATION ITEMS

Is the site free of any previously unidentified discharges of pollutants?	
Is the site free of any control measures needing maintenance or repairs?	
Is the site free of any failed control measures that need replacement?	
Are there any incidents of noncompliance observed during this inspection?	
Is the site free of any additional control measures needed to comply with the permit requirements?	
Weather description: Notes (Required):	
Description of any discharges occurring at time of inspection: Notes (Required):	
Additional notes and comments: Notes (Required):	

SIGNATURES

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