

**Ohio Department of Natural Resources
Division of Mineral Resources Management**

****PROCEDURE DIRECTIVE****

Permitting, Hydrology & Bonding # 2007-2

This directive replaces all references to submittal of permit revisions (ARP) for Small Area Drainage Exemptions contained in Permitting, Hydrology and Bonding PPD 2001-1. Remove from Notebook.

Subject: Inclusion of Blanket Small Area Drainage Exemptions in New Permit Applications.

Effective: October 1, 2007

Purpose: To allow for inclusion of Small Area Drainage Exemption plans in new applications.

The Division recognizes that the majority of Small Area Drainage Exemption permit revisions submitted for review are for areas less than one acre in size. The Division has taken a position wherein Small Area Drainage Exemptions for **less than one acre in size** may be covered with a blanket exemption much as Buffer Zone Variances are allowed under the provisions granted in 1501:13-9-04 (B)(3) for new applications.

The application must address, at a minimum, the following in the form of an addendum to Part 3, E (4) of the permit application:

1. A statement declaring that the following provisions will apply only to areas less than one acre in size and that area equal to or exceeding one acre in size shall be exempted through the ARP submittal process outlined in Procedure Directive Permitting, Hydrology & Bonding 2007-1.
2. A statement declaring that, on each annual map, any SADE area created since the previous annual map was submitted shall be shown and clearly labeled on the map and shall include a surface acreage figure for each depicted area.
3. A statement declaring that drainage control methods adequate to meet OEPA-NPDES effluent limitations will be employed. State that seeding/mulching, straw bale dams and/or silt fence will be utilized to meet effluent standards and that regular inspection of the controls will be employed to maintain the integrity of the control method.
4. A statement declaring that no two or more SADE areas will be created contiguous to each other unless no more than one (1) acre of the sum total of the surface area of the contiguous SADE areas is not fully vegetated with permanent ground cover.
5. A statement declaring that SADE areas requiring the use of designed structures such as sumps and/or diversions shall be exempted through the ARP submittal process (see

Procedure Directive Permitting, Hydrology & Bonding 2007-1). (This is necessary due to the requirement that designed structures must be certified designs and subject to review prior to approval.)

6. A statement declaring that unforeseen circumstances make it impossible to direct all drainage through the designed and approved drainage control system.
7. A statement declaring that the drainage control methods shall be in place within three days of creation of the area outside the approved drainage control plan.

The suggested format for the required addendum is included as an attachment to the Procedure Directive.

It is suggested that the applicant consult 1501:13-9-04 (B)(4) so as not to include, unnecessarily, area designated as Small Area Drainage Exempted.

Be aware that on SADE areas allowed under this provision, where the drainage control methods prove to be inadequate or not maintained, enforcement action may be taken.



Lanny Erdos, Manager
Permitting, Hydrology and Bonding

Small Area Drainage Exemption (SADE) Request Addendum Part 3, E (4)

Throughout the life of an approved application unforeseen circumstances occur which make it impossible to direct all drainage through the approved drainage control system. Therefore, we request that a Small Area Drainage Exemption be granted by the Chief of the Division of Mineral Resources Management for those areas which occur on this permit and do not, individually, equal or exceed one (1) acre in surface area. Any area not covered by 1501:13-9-04 (B)(4) which equals or exceeds one (1) acre in size or requires the inclusion of designed structures (sumps/diversions) will be submitted for exemption approval through the standard permit revision process (see Procedure Directive Permitting, Hydrology & Bonding 2007-1).

We will abide by the following requirements for each SADE area created on this permit:

1. On each annual map, SADE areas created since the submittal of the last annual map will be shown and clearly delineated on the current map and a surface area figure for each individual area will be included.
2. Drainage control methods adequate to meet OEPA-NPDES effluent limitations will be employed on each SADE area created. These will include but are not limited to seeding/mulching and/or hay bale dams and/or silt fence. Regular inspection of the chosen method(s) will insure the integrity of the measures taken to meet required effluent limits. The chosen drainage control method(s) will be in place within three days of the creation of the SADE area.
3. No two or more SADE areas will be created contiguous to each other unless no more than one (1) acre of the sum total of the surface area of the contiguous SADE areas is not fully vegetated with permanent ground cover.