

*** DRAFT – NOT FOR FILING ***

3745-520-525

Vegetated earthen berm and equivalent barrier construction.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, test methods, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-500-03 of the Administrative Code titled "Incorporation by reference."]

(A) Vegetated earthen berms and equivalent barriers shall conform to the following:

- (1) Not be comprised of solid waste or C&DD, except clean hard fill can be used.
- (2) If vegetation is included in the design, the surface of the earthen berm shall be of sufficient thickness and fertility to support a complete and dense cover of vegetation.
- (3) If comprised of an earthen berm, the surface of the berm shall be comprised of soil that results in a maximum erosion rate not exceeding five tons per acre per year as calculated using the "Universal Soil Loss Equation," "Revised Universal Soil Loss Equation," or the "Water Erosion Prediction Project Model" corresponding to the maximum slope length between ditches and assuming disturbed soils and assuming the soil is highly susceptible to rill erosion.
- (4) If comprised of an earthen berm, not later than seven days after construction, be covered with mulch or other material. The cover material shall result in a maximum erosion rate not exceeding five tons per acre per year as calculated using the "Universal Soil Loss Equation," "Revised Universal Soil Loss Equation," or the "Water Erosion Prediction Project Model" corresponding to the maximum slope length between ditches and assuming disturbed soils and assuming the soil is highly susceptible to rill erosion.

(B) Certification of the vegetated earthen berm or equivalent barrier by the owner or operator shall include the following:

- (1) Record drawings showing the location and topographic representation of the vegetated earthen berm or equivalent barrier, as constructed.
- (2) Results of all testing and verification the vegetated earthen berm or equivalent barrier meets the standards in paragraph (A) of this rule and the design specifications in the permit to install.