



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Ashland County
Family Dollar
Construction
Storm Water

August 19, 2011

Mr. Dan Marshall
CM Properties
P.O. Box 61
Parkersburg, West Virginia 26101

Dear Mr. Marshall:

On July 20, 2011, Ohio EPA representative Judson Delancey inspected Family Dollar at 850 South Market Street, Loudonville (photos taken). The purpose of my visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2 GC02630*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

As a result of the inspection, we have the following comments:

1. At the time of inspection, construction appeared complete. The building and parking lot were installed and some grass was growing.
2. Due to the absence of a construction trailer or personnel, the Storm Water Pollution Prevention Plan (SWP3) and inspection logs were unavailable for review.
3. All temporary or permanent stabilization has not been established. It appears that the site had been seeded, but failed to establish a vegetative cover of sufficient density to prevent erosion. Long term erosion was evident by the large rills present. The presence of rills indicates the timeframe for stabilization may have been exceeded.

Permit Requires: All temporary and permanent control practices shall be maintained and repaired as needed to ensure continued performance of their intended function. *This is a violation of Part III.G.2.h. of the permit.* This issue should have been observed, documented, and reported during the routine inspections required under Part III.G.2.i. of the permit. These bare areas must be reseeded.

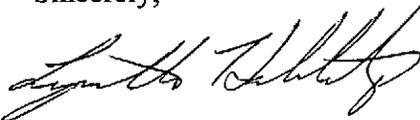
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4. According to the NOI, this site is a small construction site (less than five acres) and post-construction Best Management Practices (BMPs) must be provided. The permit requires that post-construction Best Management Practices be installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Such practices may include, but are not limited to: storm water extended detention structures; retention structures; water quality swales; and bioretention areas. A post-construction BMP was not evident on this site. Please send a written reply within ten days of the date of this letter describing how this requirement will be met. Your reply should include the type(s) of practices you are implementing, the basis for their design, and installation dates. *To not provide this practice is a violation of Part III.G.2.e of the permit.*

Within ten days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions.

If there are any questions, please contact me at (419) 373-3009.

Sincerely,



Lynette M. Hablitzel, P.E.
Division of Surface Water
Storm Water Program

JD/jlm

pc: Curt Young, Village of Loudonville Administrator
NWDO File