Ohio | Environmental Protection Agency

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

July 5, 2011

RE: CUYAHOGA COUNTY
CITY OF BROOK PARK
FIFTH THIRD BANK
CONSTRUCTION STORM WATER

Mr. Jeff Henderson
Then Design Architecture
4135 Erie Street
Willoughby, OH 44094

Dear Mr. Henderson:

On June 27, 2011 I performed an inspection at the above-referenced site to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC01027*AG. Our records indicate that Then Design Architecture was granted coverage under the NPDES permit on August 6, 2004.

It appears that construction activities are complete and the site has been stabilized. Please be aware that NPDES permit coverage must be terminated within 45 days of when the site reaches final stabilization. Final stabilization means that all soil disturbing activities at the site are complete and a uniform perennial vegetative cover (i.e., evenly distributed, without large bare areas) has reached a growth density of 70% or greater on all unpaved areas and areas not covered by permanent structures. Equivalent stabilization measures such as the use of landscape mulches, rip-rap or gabions may be employed, where appropriate, in lieu of vegetation. In addition, all temporary erosion and sediment control practices must be removed and disposed and all sediment trapped by these practices must be permanently stabilized.

In addition, post-construction water quality best management practices (post-construction BMPs) must be installed and a long-term maintenance plan must be provided to the party that will be responsible for long-term maintenance of those practices, e.g., homeowners' association. Post-construction BMPs are permanent site features that will remain in perpetuity to improve the quality of storm water runoff from the development site. Examples of post-construction BMPs include, but are not limited to, extended detention basins, bioretention cells (or "rain gardens"), sand filters, permeable pavement and enhanced swales. In some cases post-construction BMPs include non-structural preservation areas such as riparian setbacks and conservation easements.

Please review your site to determine if it has reached final stabilization and ensure that post-construction BMPs have been installed. *Please consult with Edward Piatak, MS4 Program Manager to make this determination.* If you determine that your site has reached final stabilization, you must submit a Notice of Termination (NOT) to Ohio EPA to terminate NPDES permit coverage. The form and instructions are available on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. If you determine that your site does not yet qualify for an NOT, please provide me with a letter of explanation indicating why NPDES permit coverage cannot yet be terminated. Please submit the NOT or letter of explanation no later than July 14, 2011.

If you have any questions, please contact me at (330) 963-1128.

Sincerely,

Tim McParland
Assistant to the District Engineer
Division of Surface Water

TM/mt

cc: Edward Piatak, City of Brook Park, City Engineer & MS4 Program Manager
Mark Elliott, City of Brook Park, Mayor
Cuyahoga SWCD