



Environmental  
Protection Agency

100 East Town Street  
Columbus, OH 43260-1090  
614.644.6300  
Director

August 2, 2011

RE: CUYAHOGA COUNTY  
CITY OF NORTH ROYALTON  
CONSTRUCTION SITE  
STORM WATER INSPECTION  
NORTH ROYALTON YMCA  
NPDES PERMIT # 3GC05571\*AG

**CERTIFIED MAIL**

Mr. Robert A. Stefanik  
City of North Royalton  
13834 Ridge Road  
North Royalton, OH 44133

Dear Mr. Stefanik:

During the Ohio EPA audit of the City of North Royalton's Storm Water Management Program on July 7, 2011, we discovered that construction activities are occurring at the above referenced site. Our records indicate that you have filed for coverage under the General Storm Water NPDES Permit for Construction Activities over a month after construction commenced on this site. Coverage under a storm water permit is required when any clearing, grading, excavating, grubbing or filling activities result in the disturbance of 1 or more acre of land or if your site is a parcel within a development that, as a whole, disturbs 1 or more acre of land. It is our understanding that your site meets this criteria. Discharge of pollutants, including silt, to waters of the State is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) Permit.

Per Ohio Administrative Code 3745-38-06, NPDES permit coverage for construction activities must be obtained at least 21 days prior to the start of construction activities. Failure to obtain NPDES permit coverage is a violation of Ohio Revised Code (ORC) 6111.04. Violators of ORC 6111 may be fined up to \$10,000 per day of violation. In addition, federal law allows for third party lawsuits for failure to obtain and comply with NPDES permits.

Storm Water Pollution Prevention Plans (SWP3) - The general permit requires development of a storm water pollution prevention plan emphasizing storm water best management practices (BMPs). The plan has three main components: (1) sediment and erosion control, (2) non-sediment pollution controls and (3) **post-construction storm water management and pollution control**. The plan must be approved and must be kept on site at all times. Ohio EPA may require revisions to the plan before it can be implemented. The plan must be implemented upon commencement of

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construction activities. The SWP3 must be designed to protect the physical, chemical and biological function of waters of the state and assure that there is no impact to stream channel morphology, hydrology and water quality.

We look forward to your timely action on these requirements to prevent further downstream degradation and to ensure compliance with state laws and federal regulations. **You are directed to submit your completed SWP3 to Dan Bogoevski within 10 days of receipt of this letter.**

If you have any questions, please feel free to contact me at (330) 963-1138.

Sincerely,



Lindsie MacPherson  
Assistant to the District Engineer  
Division of Surface Water

cc: City Council, City of North Royalton  
Brandstetter Carroll Inc.

ec: Dan Bogoevski, Ohio EPA, NEDO, DSW