



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

July 24, 2009

RE: CUYAHOGA COUNTY
CITY OF SOUTH EUCLID
EUCLID CREEK WATERSHED
FRANCIS COURT GABLES

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Jim Teresi
1580 Fruitlang Ave.
Mayfield Heights, OH 44124

Dear Mr. Teresi:

On July 20, 2009, this office performed a compliance inspection of the storm water best management practices (BMPs) at the above referenced site. Our records indicate that this site is covered by Ohio EPA General Storm Water Permit for Construction Activities # 3GC02896*AG.

The investigation documented that construction activities, defined as "the initial disturbance of soils associated with clearing, grubbing, grading, placement of fill or excavating activities or other construction activities," had begun at the site. Storm water controls have been installed; however, the following deficiencies must be addressed:

Failure to initiate the temporary stabilization of disturbed areas within 7 days of the last disturbance if they are to remain dormant for 21 days or longer. This is a violation of Part III.G.2.b.i of the National Pollution Discharge Elimination System (NPDES) Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07.

The majority of the site was observed to consist of soil which has not been worked for several months. All areas of bare soil must be stabilized with grass seeding and mulching immediately.

Failure to maintain/repair BMPs as needed to assure that they remain in a functional condition until all upslope areas are re-stabilized. This is a violation of Part III.G.2.h of the NPDES permit and ORC 6111.04 and 6111.07.

The perimeter silt fencing has been improperly installed. All silt fencing must be trenched to a minimum of 6 inches as to prevent sediment laden runoff from exiting the site.

Failure to maintain the working order of sediment basins and perimeter sediment barriers until the up slope development area has been re-stabilized. This is a violation of Part III.G.2.d.i of the NPDES permit and ORC 6111.04 and 6111.07.

The outlet structure in your sediment basin has been improperly installed. Water is able to bypass the outlet structure due to lack of proper backfill. Also, the pipe inside the structure appears to be clogged; water is building up within the structure.

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Failure to install inlet protection on storm sewer grates, unless those sewers discharge to a sediment pond. This is a violation of Part III.G.2.d.iv of the NPDES permit and ORC 6111.04 and 6111.07.

There are many storm sewers on site which have no protection. Are all of these storm sewers routed to the detention basin? Please refer to the pictures attached.

Please be advised that these violations are subject to further enforcement action, including fines of up to \$10,000 per day per violation. You will remain in violation of ORC 6111 until all corrective actions are taken.

Within 7 days of receipt of this letter you are requested to provide this office with a letter of response indicating the corrective actions you will take to address these deficiencies. This NOV also serves to formally request a copy of the site's storm water pollution prevention plan to be submitted to Ohio EPA for review.

If you have any questions, please contact me at (330) 963-1138 or you may e-mail me at marcus.hollenbank@epa.state.oh.us. Thank you for your prompt attention to these matters.

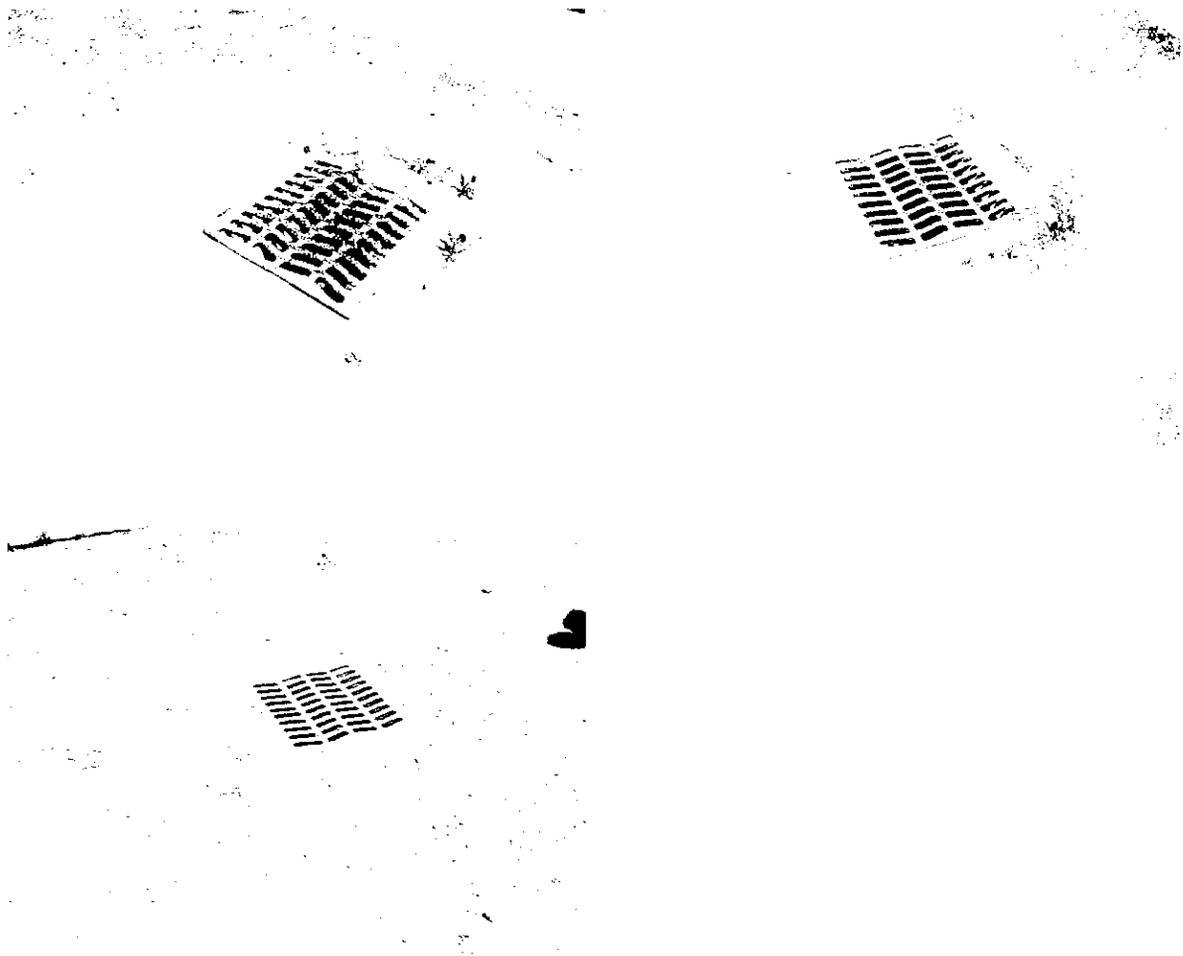
Sincerely,



Marcus Hollenbank
Assistant to the District Engineer
Division of Surface Water

MH/mt

cc: Keith Feuerstein, Baumann Enterprises Inc.
Paul Kowalczyk, Building Commissioner, City of South Euclid
Dan Bogoevski, Ohio EPA, DSW, NEDO



Sediment laden runoff is entering the storm drains. All storm drains that do not divert water to a sediment basin must be protected with an appropriate BMP.



Natural vegetation has started to grow throughout the site. This is a sign that the land has not been disturbed in several months. All areas of bare soil must be stabilized with grass seeding and mulching immediately.



This inlet protection structure has completely failed and must be replaced.



The silt fencing has not been installed properly. All silt fencing must be trenched at a minimum of 6 inches in order to ensure that sediment laden runoff does not exit the site.



A sediment control structure must be installed in order for the sediment pond to work properly.