



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Konecki, Director

June 30, 2010

RE: CUYAHOGA COUNTY
CUYAHOGA RIVER WATERSHED
CITIES OF VALLEY VIEW & INDEPENDENCE
CUYAHOGA VALLEY NATIONAL PARK –
PRA-CUVA 18(1), 164(1)

NOTICE OF VIOLATION

Mr. Kevin Rose
Federal Highway Administration
21400 Ridgetop Circle
Sterling, VA 20166

Mr. Adam Rennick
J.D. Williamson Construction Co., Inc.
441 Geneva Ave.
P.O. Box 113
Tallmadge, OH 44278

Dear Mr. Rose and Mr. Rennick:

On June 10, 2010, Ohio EPA received the amended Storm Water Pollution Prevention Plan (SWP3) for the above referenced road construction project. Upon reviewing the SWP3, I noted that no post-construction best management practices (BMPs) are being provided for this project. Please be aware that **failure to provide post-construction BMPs** is a violation of Part III.G.2.e of the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04313*AG which authorizes storm water discharges from this project.

The NPDES permit requires the implementation of post-construction BMPs to provide perpetual management of runoff quality and quantity. Post-construction BMPs are required for all construction projects regulated by the NPDES permit except those that do not include the installation of any impervious surface (e.g., soccer fields), abandoned mine land reclamation activities regulated by the Ohio Department of Natural Resources, stream and wetland restoration activities and wetland mitigation activities. The Cuyahoga Valley National Park – PRA-CUVA 18(1), 164(1) project will create impervious surface from the installation of a new and improved roadway.

You are directed to amend the SWP3 to provide post-construction BMPs in compliance with the requirements of the NPDES permit. In addition to the standard practices listed in Table 2 on Page 23 of the NPDES permit, the construction of new roads and roadway

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improvement projects by public entities may implement post-construction BMPs in compliance with the April 2008 version of the Ohio Department of Transportation's Location and Design Manual, Volume 2: Drainage Design. Please provide me with the amended SWP3 **no later than July 30, 2010**.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Lisa Landers, FHA Eastern Federal Lands Highway Division
Todd Houser, Cuyahoga SWCD
Don Ramm, Engineer, City of Independence
Paul Dey, Engineer, City of Valley View