OhioEPA
State of Ohio Environmental Protection Agency
Northeast District Office

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

April 7, 2010

RE: CUYAHOGA COUNTY
PORTER CREEK WATERSHED
CITY OF WESTLAKE
CUYAHOGA COMMUNITY COLLEGE
WESTSHORE CAMPUS

Mr. Tom Somerville
Cuyahoga Community College
700 Carnegie Ave.
Cleveland, OH 44114

Dear Mr. Somerville:

On April 1, 2010, I performed a compliance inspection of storm water best management practices at the above referenced site. While on site, I met with John Long, project manager, and Joe Schilens, superintendent, for Turner Construction, construction managers. Our records indicate that Cuyahoga Community College has obtained coverage under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04557*AG. However, as of the date of inspection, Turner Construction has not submitted a Co-Permitte Notice of Intent (Co-Permittee NOI).

My inspection revealed the following deficiencies:

Administrative Issues

- The NPDES permit requires all site operators to obtain permit coverage. The term operator is defined as any party that meets either of the following criteria:

  - The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

  - The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with an SWP3 for the site or other permit conditions, e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions.

  Turner Construction has day-to-day operational control of the site and must submit a Co-Permittee NOI. On April 2, 2010, Mr. Long e-mailed me a copy of an unsigned Co-Permittee NOI and on April 5, 2010, he informed me that he would be submitting the Co-Permitte NOI by the end of the day. Please be aware that Turner Construction will remain in violation of the NPDES permit until a Co-Permittee NOI is submitted to Ohio EPA. The form and instructions can be found at www.epa.ohio.gov/dsw/storm/stormform.aspx. Please be sure that if other parties meet the definition of operator as this project progresses that they too have submitted a Co-Permittee NOI.

There may also be contractors and subcontractors that do not meet the definition of operator, but whose activities can affect implementation of the Storm Water Pollution Prevention Plan (SWP3), e.g., the masonry contractor (see implementation issues below). The NPDES permit requires Cuyahoga Community College to inform them of the terms and conditions of the SWP3 and maintain a written document containing their signatures acknowledging they have reviewed and understand their responsibilities under the SWP3. This document should be kept with the SWP3 in the construction trailer. Signatures must be obtained prior to a contractor or subcontractor commencing work at the site.

- The Storm Water Pollution Prevention Plan (SWP3) has not been updated to reflect the existence of the topsoil stockpile. Please update the SWP3 to reflect this change. On April 5, 2010, Mr. Long informed me that the stockpile has been added to the field copy of the SWP3.

SWP3 Implementation Issues

In general, the SWP3 has been implemented as designed and the entire site has been stabilized with stone or straw mulch, erosion control matting or dormant seeding. However, a few concerns were noted:

- Good housekeeping measures are required to clean up the off-site tracking of sediments which has occurred on Clemens Rd. Mr. Schilens indicated that there were a number of cement truck deliveries that day and he would run the street sweeper to clean things up. Please be sure that clean up occurs before the end of each workday that off-site tracking occurs.

- Perimeter silt fence requires repair. In particular, we noted that the masonry subcontractor has stockpiled sand up against the silt fence and has affected its ability to function as intended. Please pull back the stockpile and re-establish the silt fence as intended. This same subcontractor is also not using the washout pit to contain wastewater he is generating. Mr. Schilens indicated that he had spoken to the contractor about it a few days before my inspection when he noted it during his walk through of the site.

- The drain plug on one of the secondary containment dikes around one of the diesel fuel tanks was not closed. Please install the plug to assure drips and spills are contained. If storm water collects within the dike, please evaluate the runoff first before discharging it. Any visible sheens must be removed with absorbents before discharging this runoff.

- The cement washout pit is very near capacity and it either must be cleaned out or additional capacity must be established. Also, please monitor the activities of subcontractors to assure that they are using the washout pit. We noted a recent washout activity outside the pit rather than in it.

Post-Construction BMPs

- There is insufficient information on the plan sheets available at the site to determine compliance with NPDES requirements for post-construction runoff. The majority of the site drains to a retention pond. Please submit documentation that the pond outlet has been designed to provide extended detention of the Water Quality Volume (WQv).

- The storm drains located at the future site entrance (CB 5125 and CB 5126) do not drain to the retention basin but, instead, connect directly to the City of Westlake municipal separate storm sewer system (MS4) on Clemens Rd. No post-construction water quality treatment is being provided for the runoff tributary to these two inlets. Please note that this is a violation of Part III.G.2.e of the NPDES permit. Additional post-construction BMPs must be provided to address the runoff tributary to CB 5125 and CB 5126. Please review the options contained in Part III.G.2.e of the NPDES permit and amend the SWP3 accordingly to comply with requirements.

Please provide me with a letter of response indicating the actions you will take to address the deficiencies noted above. Include any amendments made to the SWP3 with your response. Your response should be received by April 21, 2010.

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

Sincerely,

Dan Bogoevski

Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Robert Kelly, Engineer, City of Westlake
Dennis Clough, Mayor, City of Westlake
John Long, Turner Construction Co.
Lene Schneider, BurtHill

CCC WESTSHORE CAMPUS
City of Westlake Cuyahoga County
Permittee: Cuyahoga Community College

Photos Taken: April 1, 2010
By: Dan Bogoevski, DSW-NEDO

Fig 1 (LEFT). Off-site tracking has occurred on Clemens Road. Please sweep up sediment transported from your site by construction vehicles. Be sure you do not sweep sediment down the storm drain.

Fig 2 (RIGHT). Silt fence in the vicinity of wetlands has been taken down to perform some electrical work. Please be aware that silt fence must be maintained in a functional condition throughout construction operations and can only be removed when the drainage area tributary to it has been permanently stabilized.

Fig 3 & 4. The masonry contractor does not appear to be aware how the SWP3 affects his work on the site. Not only has be stockpiled sand up against the silt fence but he is washing out masonry buckets on the ground rather than the washout pit.

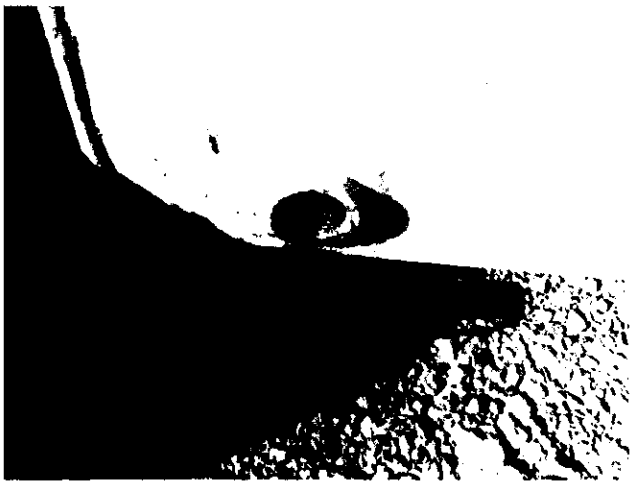

Fig 5 (LEFT). The drain plug is not in place in the dike around this diesel fuel tank.

Fig 6 (RIGHT). The cement washout pit is near capacity and must be managed to prevent discharges of wastewater when it rains. Note in the foreground that trucks have washed out outside the pit.

Fig 7 (LEFT). This soil stockpile is not shown on the SWP3, however erosion control has been properly applied to control runoff.

Fig 8 (RIGHT). An isolated section of wetland exists in the SE corner of the parking lot. An orange fence has been placed around the area to keep construction traffic out. Silt fence has been installed to protect this area from sediment.