



Environmental
Protection Agency

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

June 21, 2011

RE: HOLMES COUNTY
WALNUT CREEK
WALNUT CREEK MEADOWS
CONSTRUCTION STORM WATER

Mr. David Miller
Walnut Hills Retirement Community
P.O. Box 129
Walnut Creek, OH 44687

Dear Mr. Miller:

On June 15, 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 #3GC03938*AG. Our records indicate that Walnut Hills Retirement Community was granted coverage under the NPDES permit on June 12, 2008.

It appears that construction activities are complete. 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. Also, 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.

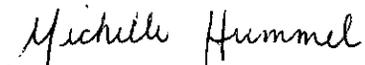
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During my inspection of your site, I noted that some areas along the roadways, particularly at the corner of Pond Lane, lack appropriate stabilization (Figures 1 and 2). As a result, sediment has been tracked onto the paved roads (Figure 3). In addition, the only BMP that I located was the pond in the center of the development. However, I could not find an appropriate water quality outlet structure for this pond. The structure that is present in the pond is only designed to control the volume of water in the pond. In order for this to be an approved post-construction BMP, it must be designed to treat water quality as well as quantity. Please consult with the engineer who designed this pond to determine if he included in his design a specification for the quality of the water being discharged.

Please bring the above-mentioned areas to final stabilization and ensure that the post-construction BMPs (i.e., the pond) have been installed properly. Please also submit verification that the pond has been designed for water quality treatment. Then, when 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 are unable to bring your site to final stabilization, modify the pond, and submit an NOT, please provide me with a letter of explanation indicating your reasoning. Otherwise, please submit the NOT and appropriate verification that you have corrected the above issues within seven days of receiving this letter.

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

Sincerely,



Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH/mt

cc: Holmes County SWCD



Figure 1 – Areas along Pond Lane lack stabilization.



Figure 2 – The loose sediment that is present along the roadways must be stabilized.



Figure 3 – Sediment is being tracked onto the paved roadways.



Figure 4 – The outlet structure for the pond is not designed to treat the water quality.