

**Environmental
Protection Agency**

Governor
Lt. Governor
Director

August 8, 2011

RE: LORAIN COUNTY
CITY OF LORAIN
WHITTIER MIDDLE SCHOOL
CONSTRUCTION STORM WATER

Mr. Dan Denicola
Chief Operations Officer
Lorain City Schools
2350 Pole Ave.
Lorain, OH 44052

Mr. Mike Huddleston
Telamon Construction Inc.
P.O. Box 418
Sandusky, OH 44871-0418

Dear Mr. Denicola and Mr. Huddleston:

On August 2, 2011, I performed a compliance inspection of storm water best management practices at the above referenced site. While on site, I spoke with Eric Gray of Telamon Construction, contractor responsible for erosion and sediment control. This inspection was performed as a follow-up to my inspection on July 8, 2011, and documented in my Notice of Violation dated July 14, 2011. Our records indicate that storm water discharges from this site are authorized under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04783*AG.

My inspection revealed that construction is nearly complete and the site is approaching final stabilization. Vegetation is establishing nicely and quickly approaching 70% growth density throughout the majority of the site. The only exception is the detention basin. Although it has been seeded and straw mulched, vegetation was sparse. It may be necessary to use erosion control matting or sod to properly establish vegetation on the basin bottom.

My inspection also revealed that modifications required to bring the detention basin into compliance with the design requirements of the NPDES permit have not yet been made. These modifications must be made before the project is complete and the NPDES permit is terminated. In the response letter received from Mr. Huddleston on August 1, 2011, it indicated that the orifice that will control the discharge of the Water Quality Volume (WQv) will have to be reduced to 3 inches. The letter from McDonald, Cassell & Bassett (MCB) Inc. dated July 27, 2011, indicated that the construction documentation necessary to convey this change to each contractor would be forthcoming.

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Further, please note that it is not optional to provide a forebay and micropool in a dry extended detention basin. Although the letter dated July 22, 2011, from Douglas Tober, P.E. with R. E. Warner & Associates, project civil engineers, states that it is their professional opinion that the use of a forebay and micropool are unnecessary because the pond has an additional 20% storage volume for pollutant accumulation, please be aware that the NPDES permit specifically requires the use of a forebay and micropool, each sized at 10% of the WQv for a dry basin. I have reprinted the pertinent section of the NPDES permit below for your convenience.

Page 23 of 40
 Ohio EPA Permit No.: OHC000003

Part III.G.2.e

Table 2
Structural Post-Construction BMPs & Associated Drain (Drawdown) Times

Best Management Practice	Drain Time of WQv
Infiltration Basin [^]	24 - 48 hours
Enhanced Water Quality Swale	24 hours
Dry Extended Detention Basin [*]	48 hours
Wet Extended Detention Basin ^{**}	24 hours
Constructed Wetland (above permanent pool) [†]	24 hours
Sand & Other Media Filtration	40 hours
Bioretention Cell [^]	40 hours
Pocket Wetland [‡]	24 hours
Vegetated Filter Strip	24 hours

^{*} Dry basins must include forebay and micropool each sized at 10% of the WQv
^{**} Provide both a permanent pool and an EDv above the permanent pool, each sized at 0.75 WQv
[†] Extended detention shall be provided for the full WQv above the permanent water pool.
[^] The WQv shall completely infiltrate within 48 hours so there is no standing or residual water in the BMP.
[‡] Pocket wetlands must have a wet pool equal to the WQv, with 25% of the WQv in a pool and 75% in marshes. The EDv above the permanent pool must be equal to the WQv.

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Please note that the footnote under Table 2 on Page 23 of the NPDES permit states that dry basins **must include** a forebay and micropool each sized at 10% of the WQv. Whereas the ***Rainwater and Land Development*** manual provides guidance, the Ohio EPA General Storm Water NPDES Permit for Construction Activities #OHC000003 establishes the requirements to which you must design post-construction water quality practices. Thus, the design of the detention basin must be modified to include a forebay and micropool to comply with the NPDES permit.

Please amend the Storm Water Pollution Prevention Plan (SWP3), including the appropriate associated detail drawings, to account for the modifications required to the design of the detention basin to meet NPDES permit requirements. Provide all supporting information and calculations to demonstrate compliance with storage volume and draindown time requirements. Please submit these changes to me **no later than August 19, 2011**. Include the date by when you anticipate the required modifications to be constructed with your response.

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

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Douglas Tober, R.E. Warner & Associates
Eric Shaver, MCB Inc
Dale Vandersommen, Engineer, City of Lorain
Anthony Krasienko, Mayor, City of Lorain

**Environmental
Protection Agency**

**Governor
Lt. Governor
Director**

August 12, 2011

RE: LORAIN COUNTY
VILLAGE OF ROCHESTER
ROCHESTER WATER TOWER
CONSTRUCTION STORM WATER

Mr. Tim Mahoney
Rural Lorain County Water Authority
42401 SR 303 PO Box 567
Lagrange, OH 44050

Dear Mr. Mahoney:

On August 9, 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 #3GC04570*AG. Our records indicate that Rural Lorain County Water Authority was granted coverage under the NPDES permit on August 3, 2009.

It appears that construction activities are complete and the site has been stabilized. 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. In addition, all temporary erosion and sediment control practices must be removed and disposed and all sediment trapped by these practices must be permanently stabilized.

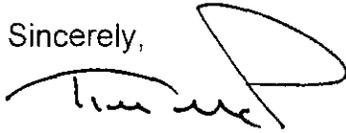
In addition, post-construction water quality best management practices (post-construction BMPs) must be installed and a long-term maintenance plan must be provided to the party that will be responsible for long-term maintenance of those practices, e.g., homeowners' association. Post-construction BMPs 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.

Mr. Tim Mahoney
Rochester Water Tower
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Please review your site to determine if it has reached final stabilization and ensure that post-construction BMPs have been installed. If 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 determine that your site does not yet qualify for an NOT, please provide me with a letter of explanation indicating why NPDES permit coverage cannot yet be terminated. Please submit the NOT or letter of explanation no later than August 27, 2011.

If you have any questions, please contact me at (330) 963-1128. If unavailable, you may also contact Dan Bogoevski at (330) 963-1145.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim McParland". The signature is written in a cursive style with a large, looped initial "P".

Tim McParland
Assistant to the District Engineer
Division of Surface Water

TM/mt

cc: William Spicer, Village of Rochester, Mayor
Lorain SWCD