

**Environmental
Protection Agency**

614 | 763-9980 Governor
614 | 763-9981 Lt. Governor
614 | 763-9982 Director

August 1, 2011

RE: MAHONING COUNTY
CITY OF YOUNGSTOWN
PHANTOM FIREWORKS
CONSTRUCTION STORM WATER

Mr. Joe Kordupel
BJ Alan Company
555 Martin Luther King Jr. Boulevard
Youngstown, OH 44502

Dear Mr. Kordupel:

On July 27, 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 #3GC05026*AG. Our records indicate that BJ Alan Company was granted coverage under the NPDES permit on July 29, 2010.

During my inspection, I documented the following deficiencies:

1. More vegetation is needed around the extended detention pond and in the rear section of the property. Please place additional seed in these locations and ensure that vegetation begins to grow in all bare areas.
2. When your site has reached a vegetative growth density of 70% or greater and all post-construction best management practices (BMPs) have been installed, you must submit a Notice of Termination (NOT) to the 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.

Please provide me with a letter of response indicating the actions you will take to address the deficiencies noted above. Your response, along with any amendments to the SWP3, must be submitted to the Ohio EPA **no later than August 11, 2011**. If corrective actions are not completed by this date, please include a schedule that outlines when action will be taken. It is Ohio EPA's expectation that all of these deficiencies will be addressed within 10 days of receipt of this letter.

Finally, please fax a copy of your most recent storm water inspection report to my attention at (330) 487-0769 or via e-mail at michelle.hummel@epa.state.oh.us. The NPDES permit requires you to inspect all storm water best management practices once every 7 days and within 24 hours of a 0.5-inch or greater rainfall. The results of these inspections must be documented as indicated in Part III.G.2.i of the NPDES permit.

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If you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1128. You may also contact Chris Moody of the Ohio EPA at (330) 963-1118.

Sincerely,



Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH/mt

cc: Kedar Bhide, Engineer, City of Youngstown
Charles Shasho, MS4 Program Manager, City of Youngstown
Jay Williams, Mayor, City of Youngstown
Mahoning County SWCD

ec: Chris Moody, DSW, NEDO