

**Environmental
Protection Agency**

Governor
Lt. Governor
Director

August 9, 2011

RE: MEDINA COUNTY
CITY OF MEDINA
LEDGES OF SHARON SUB-DIVISION
NPDES PERMIT NO. OHC000003
OHIO EPA PERMIT NO. 3GC05404*AG
CONSTRUCTION STORM WATER

NOTICE OF VIOLATION

Mr. Carl Albright
GMA Development LLC
3637 Torrey Pines Drive
Akron, OH 44333

Dear Mr. Albright:

On July 28, 2011, Ohio EPA conducted an inspection of the Ledges of Sharon Sub-Division project located at 428 Medina Road, City of Medina, Medina County. Ohio EPA records indicate that the site is covered by the General National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Associated with Construction Activity (General Storm Water Permit), permit No. 3GC05404*AG. The inspection documented the following:

- **Failure to protect Surface Waters of the State.**
 - This is a violation of Part III.G.2.d.v. of the NPDES permit. There were inadequate erosion and sediment controls protecting the stream that crosses through the property, the pre-existing lakes (See Figures 1 & 2), as well as adjacent delineated wetland areas on site. There were areas where equipment was being moved through wooded areas and excessive amounts of sediment were eroding into the designated wetlands (See Figures 3 & 4).
- **Failure to initiate temporary and permanent stabilization of areas disturbed by construction within the timeframes stipulated in the NPDES permit.**
 - This is a violation of Part III.G.2.b.i of the NPDES permit. The Storm Water Pollution Prevention Plan (SWP3) depicted immediate stabilization of the embankments around the preexisting lakes throughout the property. This was not the case. Please stabilize the embankments immediately according to the SWP3 (See Figures 1 & 2).
- **Failure to meet SWP3 requirements.**
 - This is a violation of Part III. G.1.n. vii. & viii. of the NPDES permit. The SWP3 does not offer details of the Post Construction water quality

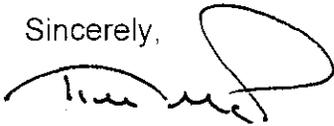
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measures that will be used for the subdivision once all construction is completed. It does not offer calculations for sizing of sediment basins used for the site, nor does it detail temporary dewatering measures to be used for the sediment basins during the construction process.

- **Failure to implement adequate runoff control practices.**
 - This is a violation of Part III.G.2.c. of the NPDES permit. Parallel series of silt fence way being used in conveyance channels to prevent erosive flows from occurring. The velocity of runoff shall be dissipated with the use of appropriate rock check dams as specified in the *Ohio Rainwater and Land Development Manual* (See Figure 5).

Please provide me with a letter of response indicating the actions you will take to address the deficiencies noted above. Your response must be received and corrective action completed by August 22, 2011. If corrective action cannot be completed by this date, your response should include the date by when corrections will be completed. Also, please fax a copy of your most recent storm water inspection report to my attention at (330) 487-0769 or via e-mail at timothy.mcparland@epa.state.oh.us. Should you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1128. If unavailable, you may also contact Dan Bogoevski at Dan.Bogoevski@epa.state.oh.us or (330) 963-1145.

Sincerely,



Tim McParland
Assistant to the District Engineer
Division of Surface Water

TM/mt

cc: Dan Metz, Stormwater Technician
Tim Jones, Jones & Associates
Lewis Land Professionals Inc.
Dennis Hanwell, City of Medina, Mayor

ec: Chris Moody, DSW, NEDO



Figure 1. Pre-existing lake on site is not protected from sediment laden water. The embankments need to be stabilized.



Figure 2. The lake is very cloudy with sediment due to lack of protection and disturbed embankments.



Figure 3. Equipment is being moved through wooded areas adjacent to wetlands on both sides. The disturbed path is eroding into the wetlands.

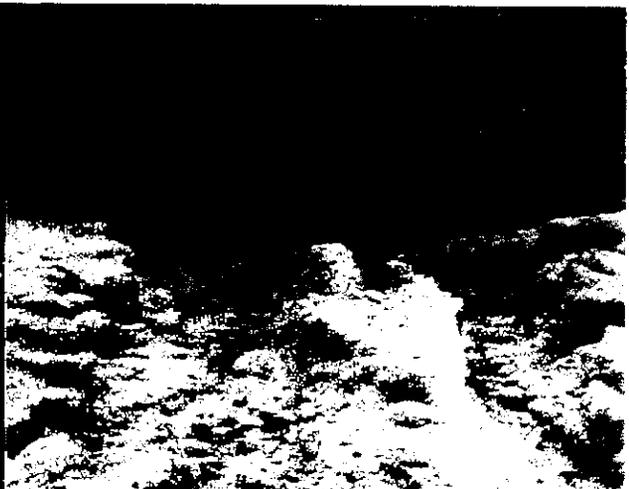


Figure 4. Excessive amounts of sediment have eroded into the designated wetland areas.



Figure 5. Use of silt fence to slow the velocity of runoff is not appropriate. Rock check dams are needed.