



Environmental
Protection Agency

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

June 21, 2011

RE: PORTAGE COUNTY
RAVENNA
MCDONALDS RESTAURANT
CONSTRUCTION STORM WATER

Mr. David Warren
McDonalds Corporation
2 Easton Oval Suite 200
Columbus, OH 43219

Mr. Chris Ravine
Fred Olivieri Construction Company
6315 Promway Avenue NW
North Canton, OH 44720

Dear Mr. Warren and Mr. Ravine:

On June 7, 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 #3GC05429*AG. While on site, I spoke with the project superintendent, Timothy Cobb, from Fred Olivieri Construction Company. Our records indicate that McDonalds Corporation was granted coverage under the NPDES permit on April 28, 2011. However, our records further indicate that Fred Olivieri Construction Company (Olivieri) has not submitted a Co-Permittee Notice of Intent (Co-Permittee NOI). **This is a violation of Part I.E of the NPDES permit for failure to obtain NPDES permit coverage.** This violation is specific to Olivieri. All parties that meet the definition of operator are required to obtain NPDES permit coverage. The definition of "operator" in the NPDES permit includes the party that manages the day-to-day operations at the construction site. It is our understanding that Olivieri meets the definition of operator. To obtain NPDES permit coverage, Olivieri must submit a Co-Permittee NOI to Ohio EPA. The Co-Permittee NOI was to be submitted by Olivieri prior to the start of construction activities. The form and instructions can be downloaded from our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. There is no fee to file the form.

During my inspection, I documented the following deficiencies:

Sediment and Erosion Control

1. Currently, the inlet protection on site consists of a piece of geotextile fabric placed under the drain and held in place by the grate (Figures 1 and 2). This is not an acceptable method of constructing storm drain inlet protection. Please remove the geotextile fabric and replace it with a Dandy Bag at each inlet, as was outlined in the Storm Water Pollution Prevention Plan (SWP3) for your site. You may also construct storm drain inlet protection per specifications contained in the *Rainwater and Land Development Manual* (Ohio Department of Natural Resources, 2006).

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2. Several other sediment and erosion controls are outlined in the SWP3, but have not yet been implemented. Please install the proposed silt fence and rock construction entrance in accordance with the SWP3.
3. The proposed concrete washout should also be installed according to the SWP3 timeline. All water used to clean concrete trucks is considered wastewater and cannot be discharged into the storm drains or waters of the state. If you need to dispose of concrete washout, please contact the operator of the local wastewater treatment plant to determine if it can be pumped to the local sanitary sewer system.

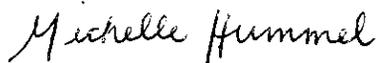
Post-Construction Water Quality Control

1. I was unable to locate any post-construction water quality best management practices (BMPs) on the site plan, and Mr. Cobb was unaware of the practices that are to be implemented. As stated in the NPDES permit, for redevelopment projects such as this, you must either ensure a 20% net reduction of impervious area on the site or provide a BMP that will treat at least 20% of the Water Quality Volume (WQv) on the site. Please submit the post-construction BMP plan for this project.

Please submit a written report detailing the actions you will take to address the deficiencies noted above to the Ohio EPA within seven days of receiving this letter. These deficiencies must be addressed onsite within seven days of receiving this letter. Also, please fax a copy of your most recent storm water inspection report to my attention at (330) 487-0769.

If you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1128.

Sincerely,



Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH/mt

cc: Mark Bowen, Engineer, City of Ravenna
Joseph Bica, Mayor, City of Ravenna
James Bierlair, Portage SWCD

ec: Phil Rhodes, Ohio EPA, NEDO, DSW



Figure 1 – Improper inlet protection is present.



Figure 2 – Improper inlet protection is present.