



**Environmental
Protection Agency**

Tod Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: Auglaize County
Shoppes at St. Marys
Construction Storm Water

July 27, 2010

Oberer Companies
9080 Springboro Pike #100
Miamisburg, OH 45342

Dear Sir or Madam:

On June 28, 2010, I conducted an inspection of the Shoppes at St Marys, SR 66 and McKinley Rd, St. Marys, Auglaize County. The purpose of my visit was to evaluate compliance of the site with your National Pollutant Discharge Elimination System (NPDES) permit for storm water discharge associated with construction activity or Construction General Permit (CGP). The inspection was conducted under the provisions of Ohio's water pollution control statues, Ohio Revised Code (ORC) Chapter 6111.

The following CGPs have been issued for this site:

1. #2GC00769*AG issued on 4/20/2005 for 22.7 acres. Contact - Mike Oberer of Oberer Land Developers Ltd., project name - Shoppes at St. Marys
2. #2GC00839*AG issued on 1/30/2005 for 22.7 acres. Contact - Pete Schwiegeraht of Oberer Land Developers Ltd, project name - St. Marys Crossings Phase 1
3. #2GC01303*AG issued on 5/20/2006 for 5.68 acres. Contact - Steve Fischer of Oberer Land Developers Ltd., project name - Shoppes at St. Marys Section 2 (project site is Fortman Dr and SR 66)
4. #2GC00844*AG issued on 6/1/2005 for 2.18 acres. Contact - Chris Conley of Oberer Thompson Co., project name - Shoppes at St. Marys

I was unable to differentiate each of the above sites from the others but it appears that construction activities at the Shoppes at St Marys are near completion.

As per the CGP Part IV.B.2, all permittees must submit a Notice of Termination (NOT) within 45 days of completing all permitted land disturbance activities. The following actions must be completed before submitting an NOT:

Oberer companies
July 27, 2010
Page Two

- Final stabilization has been achieved on all portions of the site for which the permittee is responsible. Final stabilization means that all soil disturbing activities at the site are complete and a uniform perennial vegetative cover of at least 70% density has been established over the entire site. All temporary erosion and sediment control measures have been removed, properly disposed of, and all trapped sediment has been permanently stabilized;
- All post construction controls must be properly sized, installed and a maintenance plan implemented.

Your site does not meet all the above criteria at this time. A vegetative density of 70% has not been achieved across the entire project. Areas around the perimeter still need seeding to attain the 70% vegetative density. If seasonal conditions prohibit the establishment of a vegetative cover, I recommend mulching or matting the areas until a more permanent method can be implemented.

Once a uniform growth density of 70% has been achieved over the entire site, you may then be eligible to file a Notice of Termination (NOT) form for these sites. The form can be found at: <http://www.epa.state.oh.us/dsw/storm/stormform.html>. NOTs should be filed within 45 days of when the above criteria are met.

As per CGP Part III.C.2.b, I am requesting that you submit a copy of the portion of the Storm Water Pollution Prevention Plan that pertains to the post-construction controls within 10 days of the receipt of this letter. This submittal shall include all detail plans and all calculations for sizing, including those for determining water quality volume and water quality control. Please also include the maintenance plan for the post construction control and the name of the party who is to implement the post construction control maintenance.

If there are any questions, please contact me at (419) 373-3016 or by e-mail at patricia.tebbe@epa.state.oh.us.

Sincerely,



Patricia A. Tebbe, P.E.
Division of Surface Water

/lb

pc: [REDACTED]
Auglaize County SWCD