



**Environmental  
Protection Agency**

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

Re: Defiance County  
Defiance Municipal Court  
Construction  
Storm Water

August 2, 2010

Mr. Lee Rausch  
City of Defiance  
631 Perry St  
Defiance, OH 43512

Mr. Jake Miller  
Fort Defiance Construction & Supply  
7562 SR 66  
Defiance, OH 43512

Dear Mr. Rausch and Mr. Miller:

On June 28, 2010, Sarah Clement and I inspected the Defiance Municipal Court at 665 Perry St, Defiance, in Defiance County. The purpose of our visit was to evaluate the compliance of the site with your National Pollutant Discharge Elimination System (NPDES) permit for storm water discharge associated with construction activity, Facility ID No 2GC02474\*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Robert Slusser, Project Superintendent, of Touchstone CPM was present to provide information on the project. A Storm Water Pollution Prevention Plan and inspection logs were provided. Ohio EPA has record of you being Co-Permittees.

As a result of the inspection, I have the following comments:

1. At the time of inspection, construction was ongoing. The building was being erected and the land was not to final grade. Approximately 2.88 acres of land were disturbed and barren.
2. A Storm Water Pollution Prevention Plan (SWP3) had been developed for the site and was available. A general overview indicated that the site did not directly match the SWP3. The north and south silt fence were not in place as was stated in the SWP3. *This is a violation of Part III.G of the permit.*
3. A stock pile on the southwest corner was not stabilized. *Permit Requires:* Portions of the construction site which will be inactive for more than 21 days must have temporary stabilization initiated within the first seven.

Mr. Lee Rausch  
Mr. Jake Miller  
August 2, 2010  
Page Two

Permanent stabilization is required within 7 days on any portion of the site that has reached final grade or will be idle for longer than 1 year. Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching and matting, must still be used and maintained until more permanent methods can be implemented. *Failure to do so is a violation of Part III.G.2.b.i of your permit.*

4. I observed collapsing silt fence along the west side of the property and the inlets in the northwest, northeast, and south east corners had inadequate protection. The protections either had holes in them or were collapsing. *Permit Requires: All control practices shall be maintained and repaired as needed to assure continued performance of their intended function. This is a violation of Part III.G.2.h of your permit. For more information on the correct installation and maintenance techniques for these practices, please see the Rainwater and Land Development Manual. Permit Requires: Control practices must be repaired within 3 days of inspection. This is a violation of Part III.2.i.i of your permit.*

Within 10 days of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions.

If there are any questions, please contact me at (419) 373-3036.

Sincerely,



Judson M. Delancey IV  
Division of Surface Water  
Storm Water Program

/lb

Pc: ~~NWDO file~~

Follow-up file

Jennifer English, Urban Storm Water Specialist, City of Defiance Engineering Division