OhioEPA
State of Ohio Environmental Protection Agency

Northwest District Office

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Bowling Green, OH 43402-9398

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Defiance County
Villas of Wayne Trail
Construction
Storm Water

July 16, 2009

Ms. Kelly Flannery
Villas of Wayne Trail LLC-Miller Valentine Apartments
4000 Miller-Valentine Court
Dayton, Ohio 45439

Dear Ms. Flannery:

On July 6, 2009, Mackenzie Coughlan and I inspected the Villas of Wayne Trail on Baringer Road, in Defiance. The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity (Construction General Permit), Facility ID No. 2GC01253. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Ohio EPA has no record of other permittees for this site.

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

It appears that construction activities at your site are complete. A Notice of Termination (NOT) must be filed to relieve you of the obligation to comply with this general permit. The permit allows an NOT to be filed when one or more of the following conditions have been met:

- 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 is permanently stabilized; or

- Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.

Your site does not appear to meet the above criteria at this time. While seeding had been completed, growth had not yet reached a 70% density throughout the site. There were bare areas in the detention area at the center of the property, as well as some bare areas on the individual lots. These areas may require reseeding. When a uniform perennial vegetative cover has reached a growth density of 70% across the entire site and all permit conditions have been met, you will be eligible to submit an NOT application form to Ohio EPA's Central Office. The NOT form can be found on our website: http://www.epa.state.oh.us/dsw/storm/stormform.html. NOTs must be submitted to Ohio EPA's Central Office within 45 days of when the above criteria are met.

Please send a written response describing what post construction storm water management practices are being implemented at the site within 10 days of the date on this letter. The permit requires that post-construction Best Management Practices (BMPs) are installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Such practices may include, but are not limited to: storm water extended detention structures; retention structures; water quality swales; and bioretention areas. Your reply should include the type(s) of practices and the basis for its design.

If there are any questions, please contact me at (419) 373-3006.

Sincerely,

Danielle Meienburg
Division of Surface Water
Storm Water Program

/llr

pc: DSW-NWDO File
Dennis Cline, City of Defiance-Engineering Division