

**Environmental
Protection Agency**

Governor
Lt. Governor
Director

August 4, 2011

RE: STARK COUNTY
CITY OF ALLIANCE
ALLIANCE VENTURES COMMERCIAL CENTER
CONSTRUCTION STORM WATER

NOTICE OF VIOLATION

Gerald Mastroianni
Alliance Ventures
1840 W State Street
Alliance, OH 44601

Dear Mr. Mastroianni:

On August 2, 2011, I, along with Julie Berbari of the Stark Soil & Water Conservation District (SWCD), performed a follow-up 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 #3GC05339*AG. Our records indicate that Alliance Ventures was granted coverage under the NPDES permit on March 16, 2011.

Since my last inspection, I documented the following violation:

1. **Failure to respond to an Ohio EPA letter within the mandated time frame.** You neglected to submit a response to my last letter, dated July 14, 2011, and some of the issues outlined in that letter have not been addressed.

During my inspection, I documented the following deficiencies:

1. The sediment basin still lacks an appropriate outlet structure (Figure 1), and as a result, sediment-laden water is leaving the site without being treated. **This is a direct violation of the NPDES permit.** You must install the riser and surrounding stone that are shown on the Storm Water Pollution Prevention Plan (SWP3) for the site.
2. Please continue to maintain the silt fence along the perimeter of the site. The geotextile fabric should always be trenched at least six inches into the ground and backfilled to prevent sediment from escaping under the fence.
3. The inlet protection along Western Road still has not been modified. Please install an appropriate form of inlet protection per the specifications given in the *Rainwater and Land Development Manual* (Ohio Department of Natural Resources, 2006), available on-line at <http://www.dnr.state.oh.us/tabid/9186/default.aspx>.
4. Erosion gullies have formed on the banks of the sediment basin (Figure 2). Please repair these gullies and reseed the soil in this area to prevent further erosion from occurring.

GERALD MASTROIANNI
AUGUST 4, 2011
PAGE 2

5. The entire site lacks stabilization. If any areas will not be worked within 21 days or have reached final grade, you must temporarily stabilize these locations within seven days of the last earth disturbance.

Please provide me with a letter of response indicating the actions you will take to address the deficiencies noted above. Your response, along with any amendments to the SWP3, must be submitted to the Ohio EPA **no later than August 18, 2011**. If corrective actions are not completed by this date, please include a schedule that outlines when action will be taken. It is Ohio EPA's expectation that all of these deficiencies will be addressed within 10 days of receipt of this letter.

Finally, please fax a copy of your most recent storm water inspection report to my attention at (330) 487-0769 or via e-mail at michelle.hummel@epa.state.oh.us. The NPDES permit requires you to inspect all storm water best management practices once every 7 days and within 24 hours of a 0.5-inch or greater rainfall. The results of these inspections must be documented as indicated in Part III.G.2.i of the NPDES permit.

If you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1128. You may also contact Phil Rhodes of the Ohio EPA at (330) 963-1136.

Sincerely,



for

Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH:bo

pc: Curtis Bungard, Engineer, City of Alliance
John Blaser, MS4 Program Manager, City of Alliance
Toni Middleton, Mayor, City of Alliance
Julie Berbari, Stark SWCD

ec: Phil Rhodes, DSW, NEDO



Figure 1 – The sediment basin does not have an appropriate outlet structure.



Figure 2 – Erosion gullies have formed on the banks of the sediment basin.