



Environmental
Protection Agency

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

July 15, 2011

RE: STARK COUNTY
CITY OF ALLIANCE
ALLIANCE PLAZA
CONSTRUCTION STORM WATER

NOTICE OF VIOLATION

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

Dear Mr. Mastroianni:

On July 12, 2011, I, along with Julie Berbari of the Stark Soil & Water Conservation District (SWCD), 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 #3GC05263*AG. Our records indicate that Alliance Ventures was granted coverage under the NPDES permit on January 26, 2011.

During my inspection, I documented the following violation of the NPDES permit:

1. **Earth has been disturbed outside of the construction limits shown on the Storm Water Pollution Prevention Plan (SWP3) for the site.** You are only permitted to conduct construction activities in areas shown on the SWP3 and approved by Stark SWCD. You must immediately cease all earth-moving activities in unapproved areas and seed and mulch the soil in order to stabilize these locations (Figure 1).

In addition to these violations, I noted the following issues that require your attention:

1. The silt fence that is currently in place needs maintenance. Holes are visible in the geotextile fabric, and the fence has not been trenched into the ground, as required in the NPDES permit (Figure 2). Please reinstall the silt fence on the west side of the property and be sure to trench the geotextile fabric at least six inches into the ground. You must also extend the silt fence along the north and west edges of the site so that all disturbed areas are surrounded (Figure 3).
2. No inlet protection is present on the storm drain in the northwest corner of the site (Figure 4). Please install inlet protection per the specifications given in the *Rainwater and Land Development Manual* (Ohio Department of Natural Resources, 2006), available online at <http://www.dnr.state.oh.us/tabid/9186/default.aspx>.
3. The sediment basin does not have an appropriate outlet structure to treat the sediment-laden water that it holds (Figure 5). You must install an appropriately designed riser pipe or skimmer device to treat the water before it discharges offsite.

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4. Discolored runoff is visible near the parking lot (Figure 6). Non-sediment pollutants must be managed appropriately and disposed of properly to prevent the discharge of pollutants to surface waters of the state. Please locate and repair the source of this runoff to prevent any further discharges of pollutants.
5. Much of the 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 July 28, 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.

Sincerely,



Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH/mt

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

ec: Phil Rhodes, Ohio EPA, NEDO, DSW



Figure 1 – Construction activities are occurring outside of the limits of earth-disturbance, which are shown on the SWP3 as being in line with the utility poles.



Figure 2 – Holes are visible in the silt fence, and the geotextile fabric is not properly trenched.



Figure 3 – The silt fence should be extended along the west side of the property.

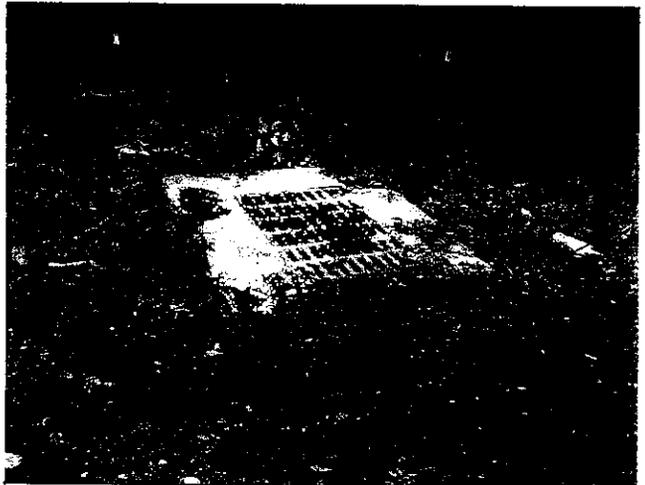


Figure 4 – No inlet protection is present on the storm drain in the northwest corner of the site.

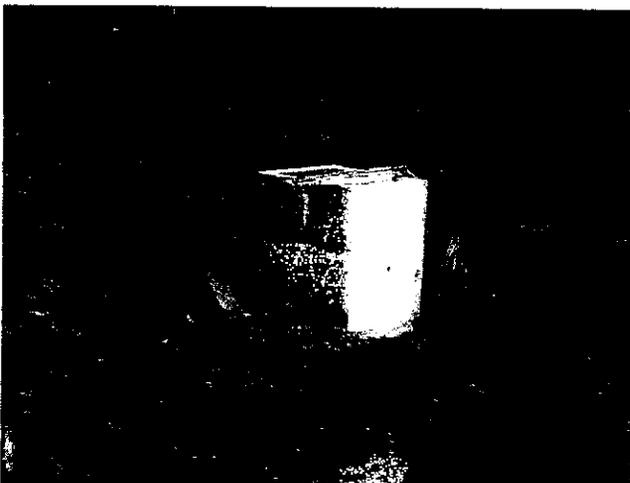


Figure 5 – The sediment basin lacks an appropriate outlet.



Figure 6 – Discolored runoff is visible near the parking lot.