

**Environmental
Protection Agency**

**Governor
Lt. Governor
Director**

August 4, 2011

RE: STARK COUNTY
CITY OF ALLIANCE
ALLIANCE PLAZA
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 #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 violations 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.** This area still has not been stabilized. You must immediately seed and mulch this portion of the site to reach final stabilization.
2. **Failure to respond to an Ohio EPA Notice of Violation 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.

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

1. The west side of the site, as well as the dirt surrounding the sediment basin, lacks stabilization (Figures 1 and 2). Please seed and mulch all bare dirt in these areas immediately.
3. No inlet protection has been installed on the storm drain in the northwest corner of the site. Please either stabilize the dirt surrounding this catch basin or 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>.

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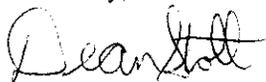
4. The sediment basin does not have a proper outlet structure to treat the sediment-laden water that it holds. You must install an appropriately-designed riser pipe or skimmer device to treat the water before it discharges offsite. Then, when the site has reached final stabilization, you should convert this outlet to a post-construction water quality orifice.

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 Storm Water Pollution Prevention Plan (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 west side of the site lacks stabilization.



Figure 2 – The area surrounding the sediment basin lacks stabilization.