

**Environmental
Protection Agency**

**Governor
Lt. Governor
Director**

July 19, 2011

RE: STARK COUNTY
CITY OF ALLIANCE
TACO BELL
CONSTRUCTION STORM WATER

Carl Christman
AJA Restaurant Group
22021 Brookpark Road Suite 100
Fairview Park, OH 44126

Dear Mr. Christman:

According to Ohio EPA records, AJA Restaurant Group obtained coverage for the above-referenced site under the General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC03480*AG in 2007, replacing CL Companies' NPDES permit #3GC01120*AG from October 31, 2003. However, according to the Stark Soil & Water Conservation District (SWCD), which is responsible for inspecting active construction sites, this project is complete and the site has been stabilized. Please be aware that NPDES permit coverage must be terminated within 45 days of when the site reaches final stabilization. Final stabilization means that all soil disturbing activities at the site are complete and a uniform perennial vegetative cover (i.e., evenly distributed, without large bare areas) has reached a growth density of 70% or greater on all unpaved areas and areas not covered by permanent structures. Equivalent stabilization measures, such as the use of landscape mulches, rip-rap, or gabions, may be employed, where appropriate, in lieu of vegetation. Also, all temporary erosion and sediment control practices must be removed and disposed, and all sediment trapped by these practices must be permanently stabilized.

In addition, post-construction water quality best management practices (post-construction BMPs) must be installed, and a long-term maintenance plan must be provided to the party that will be responsible for long-term maintenance of those practices, e.g., homeowners' association. Post-construction BMPs are permanent site features that will remain in perpetuity to improve the quality of storm water runoff from the development site. Examples of post-construction BMPs include, but are not limited to, extended detention basins, bioretention cells (or "rain gardens"), sand filters, permeable pavement, and enhanced swales. In some cases, post-construction BMPs include non-structural preservation areas such as riparian setbacks and conservation easements.

Please review your site to determine if it has reached final stabilization and ensure that post-construction BMPs have been installed. If you determine that your site has reached final stabilization, you must submit individual Notices of Termination (NOTs) for both permit numbers to the Ohio EPA in order to terminate NPDES permit coverage. The form and instructions are available on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. If you determine that your site does not yet qualify for an NOT, please provide me with a letter of explanation indicating why NPDES permit coverage cannot yet be terminated. Please submit the NOT or letter of explanation **no later than August 2, 2011**.

CARL CHRISTMAN
JULY 19, 2011
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If you have any questions, please contact me at (330) 963-1128.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Hummel".

Michelle Hummel
Assistant to the District Engineer
Division of Surface Water

MH:bo

ec: Julie Berbari, Stark SWCD (julie.berbari@starkswcd.org)
Phil Rhodes, DSW, NEDO