



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

June 10, 2009

RE: SUMMIT COUNTY
CITY OF AKRON
UNIVERSITY OF AKRON STADIUM

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Frank Horn
University of Akron
100 Lincoln Ave.
Akron, Ohio 44325

Dear Mr. Horn:

On June 3, 2009, this office performed a compliance inspection of storm water best management practices (BMPs) at the above referenced site in response to concerns from Summit Soil and Water Conservation District (SWCD). I spoke with John Baisden on site while doing the inspection. Our records indicate that this site is covered by Ohio EPA General Storm Water Permit for Construction Activities # 3GC03720*AG.

The inspection revealed the following violations:

Failure to initiate the temporary stabilization of disturbed areas within 7 days of the last disturbance if they are to remain dormant for 21 days or longer. This is a violation of Part III.G.2.b.i of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07.

- The area where the sediment pond is going to be built has not been worked for a while and should be stabilized with seeding and mulching to prevent the sediment from running off into the road.

Failure to direct concentrated storm water runoff through a sediment pond prior to discharging it from the site. This is a violation of Part III.G.2.g.iv of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07.

- Sediment laden runoff was observed entering the streets adjacent to the construction site. The sediment pond and the water quality pond should have already been constructed. These structures must be built immediately.

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Failure to install silt fencing or diversions to protect adjacent properties or water resources from sediment transported via sheet flow. This is a violation of Part III.G.2.d.iii of the NPDES permit and ORC 6111.04 and 6111.07.

- Silt fencing and/or filter socks should be used in the area where the sediment pond will be built so that the sediment does not flow into the street and into the storm drains.

Failure to minimize off-site tracking of sediment by using stone construction entrances, street sweeping, or other good housekeeping practices. This is a violation of Part III.G.2.g.i of the NPDES permit and ORC 6111.04 and 6111.07.

- Vehicles are tracking sediment off site. All of the construction entrance must be redressed, lengthened and maintained (refer to the pictures attached). A Tire Washing Station is recommended to prevent the construction entrance from being silted in and to further help keep all sediment on site.

Failure to install inlet protection on storm sewer grates, unless those sewers discharge to a sediment pond. This is a violation of Part III.G.2.d.iv of the NPDES permit and ORC 6111.04 and 6111.07.

- All storm drains around and in the site must have inlet protection. These should be installed immediately. Please refer to the picture attached and the Rainwater and Land Development Manual on the following site for more information about inlet protection:

<http://www.dnr.state.oh.us/water/rainwater/default/tabid/9186/Default.aspx>

Failure to maintain/repair BMPs as needed to assure that they remain in a functional condition until all upslope areas are re-stabilized. This is a violation of Part III.G.2.h of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07.

- The silt fencing used throughout the site has failed and needs to be re-installed and maintained. Please refer to the pictures attached.

Failure to inspect all BMPs as needed to assure that they remain in a functional condition until all upslope areas are re-stabilized. This is a violation of Part III.G.2.i of the NPDES permit and ORC 6111.04 and 6111.07.

- Regular inspections should be done to make sure that all BMPs are in working order.

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Failure to document these inspections and keep these inspection reports for at least 3 years after the termination of the NPDES permit. This is a violation of Part III.G.2.i of the NPDES permit and ORC 6111.04 and 611.07.

- Every inspection done should be documented and kept on file. For more information about site inspections, please refer to the following site:

http://www.epa.state.oh.us/dsw/storm/const_SWP3_check.html

Please be advised that these violations are subject to further enforcement action, including fines of up to \$10,000 per day per violation. You will remain in violation of ORC 6111 until all corrective actions are taken.

Within 7 days of receipt of this letter you are requested to provide this office with a letter of response indicating the corrective actions you will take to address these deficiencies. All corrective actions should be completed by June 26, 2009.

If you have any questions, please contact me at (330) 963-1138 or you may e-mail me at marcus.hollenbank@epa.state.oh.us. Thank you for your prompt attention to these matters.

Sincerely,



Marcus Hollenbank
Assistant to the District Engineer
Division of Surface Water

MH/mt

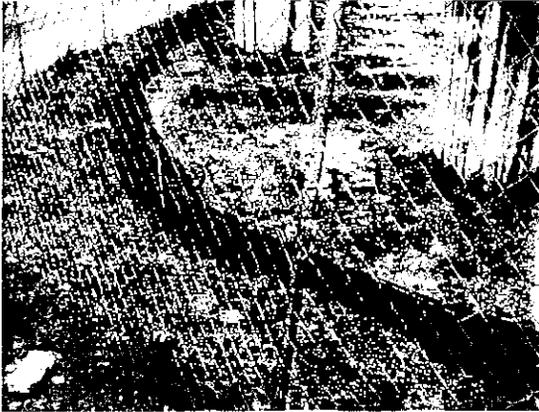
cc: Joan Hug-Anderson, Summit County SWCD
John Baisden, Welty Building Company LTD.
Engineer, City of Akron



This inlet protection is insufficient to prevent sediment laden runoff from entering the storm drain and the storm drain in the picture on the right has no protection at all (these are not the only ones, there is no inlet protection used on any of the storm drains throughout the site except for the one shown). The structure detailed in the Rainwater and Land Development Manual must be used.



As seen in these pictures, there is a significant amount of sediment laden runoff getting off of the site at the entrances. Street sweeping is not sufficient; construction entrances must be used to prevent this from happening.



This silt fence will not prevent sediment from leaving the site. New silt fencing must be installed. Regular inspections must be conducted to ensure that silt fences are in working order.



A silt fence or a filter sock should be used here to prevent sediment from getting into the road. All adjacent streets should be swept regularly to keep the sediment from entering the storm drains.

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