



Environmental
Protection Agency

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

July 14, 2011

RE: SUMMIT COUNTY
CITY OF FAIRLAWN
FAIRLAWN SOCCER FIELDS
CONSTRUCTION STORM WATER

NOTICE OF VIOLATION

Mr. Nicholas Spagnulo
City of Fairlawn
3487 S Smith Road
Fairlawn, OH 44333

Dear Mr. Spagnulo:

On July 7, 2011, I, along with Cindy Fink of the Summit 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 #3GC04495*AG. Our records indicate that the City of Fairlawn was granted coverage under the NPDES permit on June 5, 2009.

During my inspection, I documented the following deficiencies:

1. **Failure to provide perpetual management of runoff quality.** This is a violation of Part III.G.2 of the NPDES permit. No post-construction water quality best management practices (post-construction BMPs) are present on the site. Summit SWCD suggested that bioswales should be used to treat the runoff from the site, but these structures were never installed.
2. A paved parking lot was installed without the approval of Summit SWCD, therefore creating more impervious area than was allowed. In addition, the stream buffer that is currently present onsite is smaller than the buffer required by Summit SWCD.

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 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.

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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: William Roth, Mayor, City of Fairlawn
Cindy Fink, Summit SWCD

ec: Phil Rhodes, Ohio EPA, NEDO, DSW