



Environmental
Protection Agency

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

July 14, 2011

RE: SUMMIT COUNTY
COPLEY TOWNSHIP
SHELLY ASPHALT PLANT
CONSTRUCTION STORM WATER

Mr. Tom Slane
Shelly Company
8920 Canyon Falls Boulevard
Twinsburg, OH 44087

Dear Mr. Slane:

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 #3GC04772*AG. Our records indicate that Shelly Company was granted coverage under the NPDES permit on January 27, 2010.

During my inspection, I documented the following deficiency:

1. More vegetation is needed on the banks of the detention pond and in the areas surrounding the pond (Figures 1 and 2). Please add more seed and mulch to these areas and monitor the vegetative growth to ensure that it fills in properly. When the site reaches final stabilization, you must terminate NPDES permit coverage within 45 days. 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. In addition, all temporary erosion and sediment control practices must be removed and disposed, and all sediment trapped by these practices must be permanently stabilized. When you determine that your site has reached final stabilization, please submit a Notice of Termination (NOT) to Ohio EPA to terminate NPDES permit coverage. The form and instructions are available on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx.

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

Mr. Tom Slane
Shelly Asphalt Plant
July 14, 2011
Page 2

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: Alan Brubaker, Engineer, Summit County
Trustees, Copley Township
Cindy Fink, Summit SWCD

ec: Phil Rhodes, Ohio EPA, NEDO, DSW