



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

May 11, 2009

RE: SUMMIT COUNTY  
CUYAHOGA RIVER BASIN  
CITY OF TALLMADGE  
WOODRIDGE PLANNED  
RESIDENTIAL DEVELOPMENT

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Dave Kolar  
Cambridge Service Company  
130 W. Streetsboro Street, Suite 4  
Hudson, Ohio 44236

Dear Mr. Kolar:

On May 7, 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) and local residents about the lack of storm water management at this site. Our records indicate that this site is covered by Ohio EPA General Storm Water Permit for Construction Activities # 3GC04069\*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 majority of the site was observed to consist of bare soil which has not been worked for several months. All areas of bare soil must be stabilized with grass seeding and mulching immediately.
- **Failure to maintain the working order of sediment basins and perimeter sediment barriers until the upslope development area has been re-stabilized.** This is a violation of Part III.G.2.d.i of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07. The outlet structures of the sediment basins have not been installed. The outlet structures must be installed to allow the basins to work properly. Gullies and rills were observed forming throughout the site. These areas should be regarded and stabilized with grass seeding and mulching immediately to prevent further erosion. Perimeter silt



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fencing was observed to be failing in some areas. The silt fence must be replaced as necessary and maintained. Accumulated sediments behind the silt fence must be removed and placed upland for disposal.

- **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 a small wetland/stream area in the middle of the western perimeter of the site. Hay bales and silt fence that had been placed in this area had failed. A sediment trap should be installed in this area until the site is stabilized with vegetation. Additionally, a letter from the Summit SWCD indicates that runoff is being discharged into a drainage way without passing through the sediment basins. This has caused excessive runoff and sedimentation problems on private property. All areas of the site must be graded so that all runoff flows through the sediment basins prior to leaving the site.
- **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. As noted above, the sediment basins must have the outlet structures installed immediately. All areas of bare soil must be stabilized with vegetation to prevent the basins from prematurely filling up with eroded sediments.
- **Failure to repair or maintain any BMP other than a sediment pond within 3 days of the BMP inspection.** This is a violation of Part III.G.2.i.i of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07. Summit SWCD personnel have made previous inspections of the site and notified you of their findings. To date it appears that the items noted by Summit SWCD have not been addressed.
- **Failure to maintain or repair a sediment pond within 10 days of the BMP inspection.** This is a violation of Part III.G.2.i.i of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07. As noted above, Summit SWCD personnel have made previous inspections of the site and notified you of their findings. To date it appears that the items noted by Summit SWCD have not been addressed.

**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.**

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**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 12, 2009.**

If you have any questions, please contact me at (330) 963-1117. Thank you for your prompt attention to this matter.

Sincerely,



Kelvin F. Rogers  
Environmental Specialist  
Division of Surface Water

KFR/mt

cc: Cindy Fink, Summit SWCD  
Bob O'Bryan, Assistant Service Director, City of Tallmadge  
Mayor Christopher B. Grimm, City of Tallmadge  
Roger Lyons, Engineer, City of Tallmadge

File: stormwater/construction