



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: Lucas County
Birmingham Elementary School
Construction
Storm Water

August 5, 2010

Mr. John Gilliland
420 East Manhattan Boulevard 114
Toledo, Ohio 43608

Dear Mr. Gilliland:

On July 8, 2010, Sarah Clement and Judson Delancey inspected Birmingham Elementary School at 2222 Bakewell Street in Toledo. The purpose of the visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2 GC02408*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Wendell Jones, Superintendent for LGB, Ron Bargo, Project Manager for Synergy Group, Inc., and Joe Vasquez, Superintendent for Synergy Group, Inc., were present to provide information on the project.

Ohio EPA has not received a Co-Permittee Notice of Intent (NOI) for this project. This form is used by construction site operators, as defined in Part VII.O. of the Construction General Permit, to become co-permittees with the initial permittee of a construction site. Please note that Part II.A. of the Construction General Permit (CGP) **requires all operators at a construction site to become co-permittees**. If you have a contractor responsible for the day to day operation of the site, implementing the Storm Water Pollution Prevention Plan, they must obtain permit coverage. Copies of the Co-Permittee NOI may be downloaded from our website:

<http://www.epa.ohio.gov/dsw/storm/stormform.aspx>.

As a result of the inspection, we have the following comments:

1. At the time of the inspection, the site was active. Construction of the building was underway. The waterline and storm water catch basins were installed. There was a soil stockpile on the southeast side of the site, along Valentine Street.
2. A Storm Water Pollution Prevention Plan (SWP3) was developed for the site and was available. A general overview indicated that the SWP3 was not kept up to date with the ongoing construction.

The SWP3 also did not depict where the fuel storage or concrete washout was located on the site. For Post Construction Storm Water Management, plans appeared to show the storm water draining to several bioretention cells on the site.

3. Inspection logs were inadequate. Although the logs indicated that inspections had been done, the inspections were not done weekly and within 24 hours of a 0.5 inch or greater rainfall. *Permit Requires:* Inspections must be conducted weekly or within 24 hours of a 0.5 inch or greater rainfall. Inspections must include: disturbed areas, material storage areas, all sediment and erosion controls measures, discharge locations, and all vehicle access points. Records must include: inspector's name and qualifications, inspection date, observations, a certification that the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. *This is a violation of Part III.G.2.i. of the permit.*
4. The soil stockpile on the southeast side of the site along Valentine Street, and the area at corner of Bakewell Street and Paine Street, were bare and appeared weathered. As construction activity continues, please keep in mind the permit requirements about temporary and permanent stabilization. *Permit Requires:* Portions of the construction site which will be inactive for more than 21 days, must have temporary stabilization initiated within the first seven days. Permanent stabilization is required within seven days on any portion of the site that has reached final grade or will be idle for longer than one year. Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching or matting, must still be used and maintained until more permanent methods can be implemented. *Please see Part III.G.2.b.i. of the permit.*
5. The joints in the silt fence appeared to be incorrectly installed. The stakes were not twisted together before installation, with geotextile twisted around both posts to create a secure joint in the fence line. *Permit Requires:* All sediment and erosion controls used to meet the conditions of the permit shall meet the specifications and standards of the current edition of Ohio's *Rainwater and Land Development Manual* (ODNR) or other standards acceptable to Ohio EPA. *This is a violation of Part. III.G.2. of the permit.* Controls must be correctly installed.

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6. Inspectors observed collapsed silt fence in the corner of Valentine Street and the Norfolk Southern Railroad, the east corner of the site. *Permit Requires:* All control practices shall be maintained and repaired as needed to assure continued performance of their intended function. *This is a violation of Part III.G.2.h. of the permit.* Controls must be repaired.

Please send written notification of what corrective measures you have taken within ten days of the date on this letter. Your response should include the dates, either actual or proposed, for the completion of the actions.

If there are any questions, please contact me at (419) 373-3009.

Sincerely,



Lynette Hablitzel, P.E.
Division of Surface Water
Storm Water Program

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pc: ~~DSW-NWDO File~~
NWDO Follow-up File
Patekka Bannister, Storm Water Coordinator