



**Environmental
Protection Agency**

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

Re: Lucas County
Calvary Cemetery
Construction
Storm Water

August 16, 2010

Deacon Ronald D. Henderson
Catholic Diocese of Toledo
1933 Spielbush Avenue
Toledo, Ohio 43604

Dear Deacon Henderson:

On July 26, 2010, I inspected the Calvary Cemetery construction site in the southeast corner of the Cemetery at 2224 Dorr Street, Toledo (photo's taken). The purpose of my 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. 2GC02599*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Jim Clark, Grounds Supervisor, and Terry Stein, Paschal Bihn Excavating, were present to provide information on the project. Ohio EPA has no record of other permittees for this site.

Ohio EPA has not received a Co-Permittee Notice of Intent (NOI) application for this project. This form is used by construction site operators, as defined in *Part VII.O of the Construction General Permit (CGP)*, to become co-permittees with the initial permittee of a construction site. Please note that *Part II.A of the CGP* **requires all operators at a construction site to become co-permittees**. Jim Clark indicated that Willson Builders is acting as general contractor and responsible for the day-to-day operation of the site. This letter serves to notify Willson Builders of these permitting obligations. Please submit a Co-Permittee NOI to this office or an explanation of why Willson Builders is not an "operator." Copies of the Co-Permittee NOI may be downloaded from our website at: <http://www.epa.ohio.gov/dsw/storm/stormform.aspx>.

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

1. At the time of inspection, construction at the site was ongoing. A building had been erected and was in use. The ground around the building was at rough grade. A pond was being built on the east side of the site and grading was being done near the central portion of the site. Approximately 2.5 acres of land were disturbed and barren.

2. The Storm Water Pollution Prevention Plan (SWP3) was not onsite. *This is a violation of Part III.C.2. of the permit.*
3. No sediment controls were in use. *Permit Requires:* Structural practices shall be used on all sites remaining disturbed for more than fourteen days. Sediment settling ponds and perimeter controls shall be implemented prior to grading and within seven days from the start of grubbing. They must remain functional until the upslope area is stabilized. *This is a violation of Part III.G.2.d of the permit.*

Please note that had sediment controls been installed before final grade, they should have remained in place until the upslope area was stabilized. Sediment settling ponds are required when there is concentrated flow. The onsite pond should have been installed during the initial stages of construction and used as a sediment settling pond during construction.

4. Storm drain inlet protection had not been installed on the inlet on Dorr Street just south of the building. I observed evidence of sediment deposition around the inlet. *Permit Requires:* Practices shall minimize sediment laden water entering active storm drain systems unless they drain to a sediment settling pond. *This is a violation of Part III.G.2.d.iv of the permit.* I recommend that proper inlet protection be installed. Pre-fabricated inlet protection products are available for both yard and curb inlets. They may decrease labor costs, tend to have less installation error, and can be re-usable. Please check with our office on the acceptability of individual products.
5. All temporary or permanent stabilization has not been established on these areas; stock piles on the southwest and east sides of the lot and the dirt around the building. Long term erosion was evident by the large rills and gullies present. The presence of rills, gullies, and amount of weed growth indicate the timeframe for stabilization may have been exceeded.

Permit Requires: Portions of the construction site which will be inactive for more than twenty one days must have temporary stabilization initiated within the first seven. Temporary stabilization is required prior to the onset of winter weather for ground that will be idle over winter. 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. Soil stabilization practices shall be initiated within two days on inactive, barren areas within fifty feet of a stream. Permanent seeding and mulching is required before construction activity is completed throughout the entire site.

Deacon Ronald D. Henderson
August 16, 2010
Page 3

If seasonal conditions prohibit the establishment of vegetative cover, other permanent methods can be implemented. *Failure to do so is a violation of Part III.G.2.b.i of the permit.* At a minimum, I recommend that temporary seeding and a cover of mulch be applied to all bare, idle areas.

6. I observed a debris pile on the west side of the site. *Permit Requires:* No solid or liquid waste, including building materials, shall be discharged in storm water runoff. No exposure of storm water to waste materials is allowed. *This is a violation of Part III.G.2.g.i of the permit.* I recommend using a dumpster or roll-off bin for waste storage. Please make sure that the debris is properly disposed of and not just placed on the ground.

Within ten days of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions. The permit requires that post-construction Best Management Practices (BMPs) are installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Such practices may include, but are not limited to: storm water extended detention structures; retention structures; water quality swales; and bioretention areas. Please describe in your response what post construction storm water management practices will be implemented at the site, including the type(s) of practices, the basis for its design, and installation dates.

If there are any questions, please contact me at (419) 373-3036.

Sincerely,



Judson M. Delancey IV
Division of Surface Water
Storm Water Program

/llr

pc: DSW-NWDO-File
Patekka Bannister, City of Toledo, Division of Environmental Services
Jim Clark, Grounds Supervisor, Catholic Diocese of Toledo
Terry Stein, PB&S Excavating
Wilson Builders, 5966 Heritage Court, Toledo, OH 43612