



2GC0221420090707

LUCAS TIM HORTONS-MAUMEE 2GC02214.2009/07/07 HABLITZEL, LYNETTE MAUMEE



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Lucas County
Tim Hortons
Construction
Storm Water

July 16, 2009

Mr. Richard Sunkle
Tim Hortons
4150 Tuller Road
Suite 236
Dublin, Ohio 43017

Dear Mr. Sunkle:

On June 25, 2009, Lynette Hablitzel and I inspected the Tim Hortons construction site located on the northeast corner of the intersection of Dussel Drive and Tollgate Drive, Maumee. The purpose of the visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water associated with construction activity (Construction General Permit), Facility ID No. 2GC02214. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. As a result of this inspection, the site may soon be eligible to terminate NPDES permit coverage.

It appears that construction activities at Tim Hortons are complete. Please be aware that a Notice of Termination (NOT) must be filed to relieve you of the obligation to comply with this general permit, including the obligation of routine inspections. A NOT may be filed if one or more of the following conditions have been met:

- Final stabilization has been achieved on all portions of the site for which the permittee is responsible. Final Stabilization means that either:
 1. All soil disturbing activities at the site are complete and a uniform perennial vegetative cover of at least 70% density has been established over the entire site. All temporary erosion and sediment control measures have removed, properly disposed of, and all trapped sediment is permanently stabilized; or

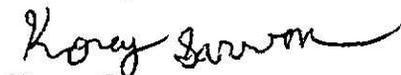
Mr. Richard Sunkle
July 16, 2009
Page 2

2. Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.

Your site does not meet all of the above criteria at this time. While a cover of straw mulch temporarily stabilized the disturbed ground, grass had not germinated. Also, it was not evident what post construction storm water management practice(s) had been implemented to treat runoff. The project's Storm Water Pollution Prevention Plan must include post-construction Best Management Practices (BMPs) that will be installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Such practices must address the anticipated impacts on the receiving stream's channel and floodplain morphology, hydrology, and water quality. They may include extended detention structures, bioretention areas, or infiltration practices. Please submit those portions of the SWP3 which demonstrate compliance with the post construction storm water management requirement within ten (10) days of the date on this letter. The letter would include a site map delineating the drainage area and location of each post construction control, the rationale for each control, and any detail drawings and water quality design calculations. When a uniform perennial vegetative cover has reached a growth density of 70% across the entire site and all permit conditions have been met, you will be eligible to submit an NOT application form to Ohio EPA's Central Office. The NOT form can be found on our website: <http://www.epa.state.oh.us/dsw/storm/stormform.html>. NOTs must be submitted within 45 days of when the above criteria are met

Please send a written response describing what post construction practices are being implemented at the site within 10 days of the date on this letter. If there are any questions, please contact me at (419) 373-3085.

Sincerely,



Korey Sarven
Division of Surface Water

//lr

pc: ~~CDSW-NWDO.File~~ (resent)
Brian Miller, P.E., Assistant Drainage Engineer,
Jeff Grabarkiewicz, Lucas SWCD
Joe Camp, Commissioner of Public Service