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LUCAS VILLAGES AT WATERVILLE LANDINGS 2GC01854 2009/04/23 HABLITZEL, LYNETTE WATERVILLE



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

Re: Lucas County  
Villages at Waterville Landings  
Construction  
Storm Water

April 24, 2009

Mr. Jim Kessler  
The Moses Schlachter Group  
2780 Centennial Road  
Toledo, Ohio 43617

Dear Mr. Kessler:

On March 11, 2009, Ben Smith and I inspected the Villages at Waterville Landings north of State Route 64 and west of Waterville-Monclova Road, Waterville, Ohio (photos taken). The purpose of my visit was to evaluate compliance of the site with your National Pollutant Discharge Elimination System (NPDES) permit for storm water associated with construction activity, Facility ID No. 2GC01854. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

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, to become co-permittees with the initial permittee of a construction site. Please note that Part II.A of the Construction General Permit (or CGP) **requires all operators at a construction site to become co-permittees**. If you have employed a contractor who is responsible for the day-to-day operation of the site, you must notify them of these permitting obligations. Copies of the Co-Permittee NOI may be downloaded from our website at <http://www.epa.state.oh.us/dsw/storm/index.html> and must be submitted to Ohio EPA's Central Office.

Ohio EPA received a Section 401 Water Quality Certification application in February 2007. A Permit To Install application for sanitary sewers was received on September 14, 2007. However, the Notice of Intent (NOI) application to obtain CGP coverage, received on October 1, 2007, did not state that a 401 certification or a PTI was part of the proposed project. **Failure to provide required information on the NOI application is a violation of Ohio Administrative Code 3745-38-06**. Please ensure during future projects to completely and accurately fill out the NOI application form. Your project's coverage under the CGP is conditioned upon the submittal of a complete NOI application. **Also, repeat violations may appear as willful falsification, which could be a criminal offense (See Ohio Revised Code 2921.13).**

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

1. At the time of inspection, the site was inactive. Most of the waterlines and sanitary sewers between State Route 64 and Waterville-Monclova Road appeared to have been installed. The storm sewer was in the process of being installed. A stone road base had not been placed yet. Due to the absence of personnel, the Storm Water Pollution Prevention Plans (SWP3) and inspection logs were not available for review.
2. A proper construction entrance was needed off State Route 64, where vehicles had accessed the site. *This is a violation of Part III.G.2.g.ii.*
3. Structural controls, including but not limited to: sediment settling ponds, silt fence, and inlet protection, were not in place to address all runoff from the site. More specifically, sections of Meyer Ditch were unprotected, as was the roadside ditch and catch basin on the west side of Waterville-Monclova Road. *Permit Requires:* Structural controls shall be used on all sites remaining disturbed for more than 14 days. Sheet flow from denuded areas shall be intercepted by sediment barriers. Flows which exceed the design capacity of sediment barriers shall pass through a sediment settling pond. Controls practices shall prevent sediment laden water from entering storm drain systems and shall protect adjacent streams. *This is a violation of Parts III.G.2.d. ii., iii., iv., and v. of the permit.*

A setback of 25 feet from the ordinary high water mark is recommended to be maintained in its natural state as a permanent buffer. I also recommend installing a diversion berm to a sediment settling pond/silt fence barrier adjacent to Meyer Ditch.

4. Trenches from disturbed areas along Waterville Monclova Road did not pass through sediment ponds. Sedimentation was observed in the roadside ditch. While storm sewers were in the process of being installed, no sediment settling ponds were present. *Permit Requires:* Structural practices shall be installed prior to grading and within seven days from the start of grubbing. Concentrated runoff and runoff from drainage areas which exceed the design capacity of silt fence or inlet protection shall pass through a sediment settling pond.
5. Also, common drainage locations serving an area with 10 acres or more disturbed at one time must have a sediment settling pond until final stabilization of the site. To qualify as a sediment settling pond, structures must meet the following specifications: sized at 67 cubic yards per total contributing drainage acre (below the principal spillway); depth less than or equal to 5 ft. (optimal depths are between 3 to 5 ft.); and the distance between inlets and the outlet at least 2:1 length:width ratio. *This is a violation of Part III.G.2.d.ii. of the permit.*

It also appeared that drainage area to the silt fence may be exceeding the design criteria. *Permit Requires:* The maximum drainage area behind silt fence is:

| Drainage Area for 100 Lineal Ft. of Silt Fence | Range of Slope |
|--|----------------|
| 0.5 acres                                      | <2%            |
| 0.25 acres                                     | ≥2% but <20%   |
| 0.125 acres                                    | ≥20% but <50%  |

Where the above criteria is exceeded, a diversion which directs runoff to a sediment settling pond is required. *Please see Part III.G.2.d.ii. and iii. of the permit.*

I recommend that one or more sediment settling ponds be constructed to lessen the impact of sediment laden runoff. Failure to provide the appropriate settling pond prior to this stage of development will be noted as a permit violation.

5. Rills were present on the large soil stockpile west of Waterville-Monclova Road. *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. 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 (7) days on any portion of the site that has reached final grade or will be idle for longer than one (1) year. Soil stabilization practices shall be initiated within two (2) days on inactive, barren areas within 50 feet of a stream. In addition, disturbed areas in residential subdivisions must be stabilized at least seven (7) days prior to transfer of permit coverage for the individual lot(s). 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 and matting, must still be used and maintained until more permanent methods can be implemented. *Failure to do so is a violation of Part III.G.2.b.i. of your permit.* The stockpile is large enough to apply at least temporary stabilization on portions of it, while maintaining a working face if that is necessary. As construction continues please keep in mind the permit requirements for stabilization, especially within 50 ft of streams.
6. Silt fence had been installed backwards in several locations, with the stakes on the upslope side of the fabric. *Permit Requires:* All sediment and erosion control practices must meet the standards of the 2006 edition of *Rainwater and Land Development: Ohio's Standards for Storm Water Management, Land Development, and Urban Stream Protection* prepared by the Ohio Department of Natural Resources. A copy of this manual may be obtained at <http://www.dnr.state.oh.us/tabid/9186/default.aspx#Manual>.

Mr. Jim Kessler  
April 24, 2009  
Page 4

7. I observed torn and sagging filter fabric in several locations west of Waterville-Monclova Road and north of Waterville-Swanton Road. *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 your permit.* For more information on the correct installation and maintenance techniques for these practices, please see the *Rainwater and Land Development Manual*.

Within 10 days of the date on this letter, please submit to this office **written notification** as to 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 as well as a current copy of the site's Storm Water Pollution Prevention Plan, including completed inspection logs. If there are any questions, please contact me at (419) 373-3009.

Sincerely,



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

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pc: {DSW:NWDO File}  
James Bagdonas, P.E., P.S., Administrator  
Greg Feller, P.E.