



**Environmental  
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

April 19, 2012

RE: PORTAGE COUNTY  
STORM WATER  
NEOUCOM  
GENERAL PERMIT No. 3GC05684\*AG

Mr. Blaine Wyckoff  
Northeastern Ohio Universities Colleges of Medicine  
4209 Ravenna Louisville Rd.  
Rootstown, OH 44272

Mr. Don Tomasik  
The Ruhlin Company  
P.O. Box 190  
Sharon Center, OH 44274

Dear Sirs:

On March 27, 2012, this writer conducted an inspection of the construction area for the Northeastern Ohio Universities Colleges of Medicine. It is understood that the construction project covers approximately eight acres. Discussions regarding the project were held with Mr. Don Tomasik of The Ruhlin Co. Following are findings from the inspection and from discussions with Mr. Tomasik:

1. The Notice of Intent (NOI) for the project was issued on October 7, 2011.
2. Project Management is the responsibility of The Ruhlin Co. The Site contractor is Campbell Contractors.
3. The Northeastern Ohio Universities Colleges of Medicine (NEOUCOM) is responsible for maintaining the documents for the site while under construction.
4. A walk around the site showed that the silt fence was maintained as required. All of the fencing was intact at the time of the inspection; however, one area was pointed out to Mr. Tomasik where the fencing was not properly secured at the bottom. This could permit silt to run off the site during rain events. Mr. Tomasik stated that the area would be immediately addressed.
5. The sediment basin was constructed at the time of the inspection and the outlet skimmer was in place as shown on the SWP3. Only a small amount of the disturbed area was connected to the sediment basin at the time of the inspection since many of the catch basins and other structures were

not yet in place. It is recommended that diversion ditches be constructed to carry storm water runoff to the basin until such time as the other structures are in place to take storm water to the sediment basin. The banks of the basin needed to be final graded, seeded and mulched at the time of the inspection. It was understood from Mr. Tomasik that the banks of the sediment basin would have been completed by the middle of April 2012.

6. In accordance with Part II.A of the General Construction Permit, if more than one operator will be engaged at the construction site, each operator shall seek coverage under this general permit. The term, "Operator", is defined in Part VII of the permit as,

*Any party associated with a construction project that meets either of the following two criteria:*

- i. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or*
- ii. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with an SWP3 for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).*

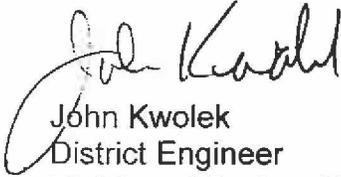
It appears that either The Ruhlin Co. meets the definition of an operator for the site. Be advised that in accordance with Part II.A of the General Construction permit, The Ruhlin Co. must immediately submit a Co-Permittee Notice of Intent (NOI) application. To date, this office has no record that the application has been submitted. The form and information can be found at:

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

7. Part III.E of the General Permit requires NEOUCOM to inform all contractors and subcontractors not otherwise defined as "operators", and who will be involved in the implementation of the SWP3, of the terms and conditions of this General Construction Permit. Since Campbell Contractors can potentially impact compliance with the General Construction Permit, Campbell Contractors must submit a certification statement as proof acknowledging that they reviewed and understand the conditions and responsibilities of the SWP3.

The record for weekly inspections and other documents required by the General Storm Water Permit were not reviewed as part of this inspection. However, any future inspections by this office will require that the necessary documents be provided for review. It is recommended that the General Construction Permit and the SWP3 be reviewed to ensure that all required documents are in place and up-to-date. You may contact this writer at (330) 963-1251 or at [john.kwolek@epa.state.oh.us](mailto:john.kwolek@epa.state.oh.us) to discuss any questions you may have regarding this inspection letter.

Respectfully



John Kwolek  
District Engineer  
Division of Surface Water

JK/cs

cc. Eric Long, Storm Water Engineer, Portage County Soil and Water Conservation District