



**Environmental  
Protection Agency**

**John R. Kasich, Governor**

**Mary Taylor, Lt. Governor**

**Scott J. Nally, Director**

June 15, 2012

RE: LORAIN COUNTY  
CITY OF AVON  
FIRMINT CHEVROLET  
CONSTRUCTION STORM WATER

Mr. Fred Schirmer  
Schirmer Construction Co.  
31350 Industrial Parkway  
North Olmsted, OH 44070

Mr. Kevin Urig  
KMU Trucking & Excavating Inc.  
4436 Center Road  
Avon, OH 44011

Dear Mr. Schirmer and Mr. Urig,

On May 31, 2012, Dan Bogoevski and I performed a compliance inspection for storm water best management practices (BMPs) at the above referenced site. We were accompanied by the following officials representing the City of Avon: Rob Knopf, City Engineer, Tom Hardwick, Inspector, and Greg Masson, Building Inspector. While on site, we met with Ken Powers, Superintendent for Schirmer Construction. Our records indicate that Schirmer Construction Co. has obtained coverage under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC05611\*AG.

After review of the site and Storm Water Pollution Prevention Plan (SWP3), I noted that a sediment pond, silt fencing, and temporary stabilization had been implemented per the plan, however, maintenance on these sediment and erosion controls needs to be done to comply with the NPDES permit. My inspection of the site revealed the following:

1. The retention basin walls have been hydro-seeded, but the seed has not germinated. Mr. Powers indicated that hydroseeding had occurred three weeks prior to my visit, thus we would expect that grass should have started to grow. Measures such as watering must be taken to ensure germination. If germination has not yet occurred, seeding may need to be redone. The basin walls will not be considered stable until vegetation reaches 70% growth density. In addition, it was noted that stabilization did not extend beyond the immediate basin sidewalls, yet there are disturbed soils around the basin that have not been stabilized, but will remain unworked for more than 21 days. These areas must also be stabilized immediately.
2. One of the catch basins along Chester Road serves as a secondary outlet for the retention pond system (see Fig 1). This catch basin discharges to an unnamed tributary of Powdermaker Ditch rather than back to the retention pond system. Storm drain inlet protection is needed around this catch basin.
3. The ditch on Chester Road needs to either be temporarily stabilized or reach its final gradation with permanent seeding.
4. Looking at the gradation of the land, a silt fence or grass diversion ridge is needed on the northern side of the topsoil pile to protect the wetlands to the north.

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5. The contractor was not performing weekly inspections and storm event inspections as required by the NPDES permit. There was a one-month gap from February to March 2012 between two of the inspections. However, this compliance issue seems to have been corrected since that time. Please ensure these inspections continue to occur on a weekly basis and within 24 hours of a one-half inch or greater rain.

You are directed to provide me with a letter of response indicating the actions that you have taken or will take to address the deficiencies noted above. Include any amendments to the SWP3 with your response. Your response must be received no later than June 29, 2012. Failure to comply with the NPDES permit is a violation of Ohio Revised Code 6111.04 and 6111.07 and is punishable by fines.

If you have any questions, please contact me at (330) 963-1125 or by e-mail at [Katie.Bowman@epa.state.oh.us](mailto:Katie.Bowman@epa.state.oh.us)

Sincerely,



Katie Bowman  
Assistant to the District Engineer  
Division of Surface Water

KB/cs

cc: Rob Knopf, Engineer, City of Avon  
Greg Masson, Building Inspector, City of Avon  
Jim Smith, Mayor, City of Avon

Attachments: Photos

**INSPECTION PHOTOS**  
**Firment Chevrolet**



**Figure 1:** Overflow inlet on Chester Road



**Figure 2:** Road Ditch along Chester Road



**Figure 3:** Area surrounding sediment basin

City of Avon, Lorain County  
Photos taken on May 31, 2012  
Photos taken by Katie Bowman, DSW