



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

**Re: Notice of Violation**

Hardin County  
Lincoln Street Reconstruction Phase II  
Construction  
Storm Water

June 27, 2012

Mr. James Meyer  
Village of Ada  
P.O. Box 292  
Ada, Ohio 45810

Mr. Jeff Lammers  
JDR Excavating, Inc.  
433 ½ Oak Avenue  
Findlay, Ohio 45839-1591

Dear Messrs. Meyer and Lammers:

On June 5, 2012, Bernard Weik and I inspected the Lincoln Street Reconstruction Phase II project, located on Lincoln Street from Union Street to Main Street in Ada, Ohio. The purpose of our 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. 2GC03038\*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Mr. Lammers was on site at the time to give information on the project.

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**. It appeared that JDR Excavating was acting as a general contractor at the time. Please submit a Co-Permittee NOI to this office or an explanation of why JDR Excavating is not an "operator". Copies of the Co-Permittee NOI may be downloaded from our website at <http://epa.ohio.gov/dsw/storm/stormform.aspx>.

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

1. At the time of the inspection, construction was ongoing. The pavement of Lincoln Street had been removed, utilities were being placed, and according to Mr. Lammers, the storm sewer was not yet in place. It appeared that the storm water drained into the project area since there are no storm sewers yet in place. *Permit Requires: Practices*

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shall minimize sediment laden water from entering active storm drain systems unless they drain to a sediment settling pond.

I recommend installing inlet protection as soon as the storm sewers are in place until proper stabilization of the site has been achieved.

2. The Storm Water Pollution Prevention Plan (SWP3) was not onsite. *This is a violation of Part III.C.2. of the permit.*
3. Inspection logs were not kept. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. Inspections must include: disturbed areas, material storage areas, all sediment and erosion control measures, discharge locations, and all vehicle access points. Records must include: inspector name and qualifications, inspection date, observations, a certification that the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. *This is a violation of Part III.G.2.i. of the permit.*

Within 10 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. Please describe how the post construction storm water management requirements will be met for this project. Your reply should include the type(s) of practices you are implementing and the basis for their design.

If you have any questions, please contact me at (419) 373-3025.

Sincerely,



Jessica Heitman  
Division of Surface Water  
Storm Water Program

/jlm

ec: Tracking