



**Environmental
Protection Agency**

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

Re: Notice of Violation

Hancock County
Autozone Inc. Store No. 4559
Construction
Storm Water

July 3, 2012

Mr. Carl Helton
Autozone Inc.
123 South Front Street
Memphis, Tennessee 38103

Dear Mr. Helton:

On June 7, 2012, Jessica Heitman and I inspected Autozone Inc. Store No. 4559 on 1311 West Trenton Avenue, Findlay (photos taken). 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. 2GC03077. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Mr. Rod Reed, Dalo Construction Inc., was present to provide information on the project. Our records indicate that there are no co-permittees on the project.

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

1. At the time of inspection, rough grading was complete; the foundation of the building had been finished; and masonry work on the exterior was underway.
2. The SWP3 was available on site.
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.*

4. A detention pond was present. I am unable to determine if the pond meets the requirements of the permit.

Permit Requires: Concentrated runoff and runoff from drainage areas that exceed the design capacity of silt fence or inlet protection shall pass through a sediment settling pond. To qualify as a sediment settling pond, structures must meet the following specifications: a dewatering zone sized at 67 cubic yards per total contributing drainage acre; dewatering depth less than or equal to 5 feet (optimal depths are between 3 to 5 feet); for ponds serving five acres or more, the dewatering zone shall have a minimum 48 hour drain time; a sediment storage zone sized at 1000 c.f. per disturbed acre; and the distance between inlets and the outlet at least 2:1 length:width ratio. *Please see Part III.G.2.d.ii. of the permit.* It will be necessary to modify the pond, if it does not already meet all of these requirements. In your reply to this letter, please verify if you are using the pond as a sediment settling pond and if it meets the permit's design requirements.

5. Silt fencing was installed around the perimeter of the site. However, the joints were incorrectly installed. The lines of silt fencing overlapped at the ends. Instead, the stakes must be twisted around each other so that the fabric wraps around both stakes before staking the fence into the ground. Also, the geotextile was not entrenched six inches and back-filled to create ponding and prevent sediment from passing through it.

Permit requires: All sediment and erosion control practices must meet the standards of the current edition of *Rainwater and Land Development: Ohio's Standards for Storm Water Management, Land Development, and Urban Stream Protection*. *This is a violation of Part III.G.2. of the permit.*

6. A section of silt fence on the east side of the site had been removed for utility installation.

Permit Requires: Structural practices shall be used on all sites remaining disturbed for more than 14 days. They shall be implemented prior to grading and within seven days from the start of grubbing. They must remain functional until the upslope area is restabilized. *This is a violation of Part III.G.2.d. of the permit*

7. Storm drain inlet protection had not been installed on the catch basins. Unless the catch basins lead into a sediment settling pond (see pond requirements listed above), then there must be inlet protection. *Please see Part III.G.2.d.iv of the permit.*

Mr. Carl Helton
July 3, 2012
Page Three

8. All temporary or permanent stabilization has not been established. The condition of the soil on the stockpile and other portions of the site indicate that the timeframe for stabilization may have been exceeded.

Permit Requires: Portions of the construction site that 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 days on any portion of the site that has reached final grade or will be idle for longer than one year. Soil stabilization practices shall be initiated within two days on inactive, barren areas within 50 feet of a stream. 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 the permit.*

Within 10 days of the date on this letter, please submit to this office a **written response** to the above comments. Your reply should describe the actions taken or proposed to prevent any future violations, including dates 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 there are any questions, please contact me at 419-373-3011

Sincerely,



Bernard E. Weik
Division of Surface Water
Storm Water Program

/jlm

ec: Mr. Randy Greeno Findlay Water Pollution Control Center Superintendent
Tracking