



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Mercer County
Aldi-Celina, Ohio
Construction
Storm Water

July 18, 2012

Mr. Russ White
Aldi Inc- Springfield Division
4400 South Charleston Pike
P.O. Box 2997
Springfield, Ohio 45501-2997

Dear Mr. White:

On June 21, 2012, Bernard Weik and I inspected Aldi-Celina, Ohio located at 2001 Havemann Road, Celina. The purpose of our visit was to evaluate compliance with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2GC03048*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. No one was present at the time of the inspection to provide information about 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**. 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 of the site was completed. Catch basins, curbs, and a final course of asphalt were in place and the store was open for business. Due to the lack of personnel or a construction trailer, the Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not available for review.
2. A curb inlet in Irmischer Boulevard west of the store did not have any inlet protection and inlet protection had not been installed to the east of the building near the delivery entrance. Silt fence used to intercept sheet flow from denuded areas is not an acceptable practice for catch basins.

It appeared that the site had been seeded and mulched and grass was beginning to grow. There was stone stabilization below the curb cuts south of the building, but there was minor erosion between the stone and the ditch.

Mr. Russ White
July 18, 2012
Page Two

Permit requires: All erosion and sediment control practices used to meet the conditions of this permit should meet the standards and specifications of the current edition of Ohio's *Rainwater and Land Development Manual* (ODNR) or other standards acceptable to the Ohio EPA. *These are violations of Part III.G.2. of the permit.* I recommend using prefabricated inlet protection for the inlets and reseeding and matting the areas subject to erosion.

3. I observed collapsed inlet protection in the yard drain west of the building. This needs to be repaired or replaced as soon as possible.

A Notice of Termination (NOT) must be filed to relieve you of the obligation to comply with this general permit. An NOT may be filed if one or more of the following conditions have been met:

- Final stabilization has been established on all areas of the site for which the permittee is responsible. Final stabilization means that all soil disturbing activities at the site are complete and a uniform perennial vegetative cover of at least 70% density has been established over the entire site. All temporary erosion and sediment control measures have been removed, properly disposed of, and all trapped sediment has been permanently stabilized; or
- Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.

Your site does not yet appear to meet all of the conditions mentioned above. Specifically, a vegetative cover of at least 70% density has not been met. Once the above mentioned violations have been addressed and a 70% density of perennial vegetation has been reached on all disturbed ground, you may remove and temporary sediment controls and file the NOT form. The NOT form and instructions can be found on our website: <http://www.epa.ohio.gov/dsw/storm/stormform.aspx>. NOTs must be mailed to Ohio EPA's Central Office within 45 days of when the above criteria are met.

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.

If there are any questions, please contact me at (419) 373-3025.

Sincerely,



Jessica Heitman
Division of Surface Water
Storm Water Program

/jlm

ec: Tracking