



**Environmental
Protection Agency**

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

July 19, 2012

**RE: CUYAHOGA COUNTY
CITY OF BEACHWOOD
BEACHWOOD REHABILITATION
HOSPITAL
CONSTRUCTION STORM WATER
PERMIT NO: 3GC05751
NOTICE OF VIOLATION**

Mr. Brad Beyer
Cogdell Spencer Erdman
One Erdman Place
Madison, WI 53717

Dear Mr. Beyer:

On July 9, 2012, I performed a compliance inspection for storm water best management practices (BMPs) at the above referenced site. I was accompanied by the following representatives of the GPD Group for the City of Beachwood: Matt Adkins, Project Engineer, and Steve Handler, Inspector. While on site, I met with Dave Smith, Superintendent of the site with SiteTech, Inc., and Dale May, Superintendent with Erdman. Our records indicate that Cogdell Spencer Erdman has obtained coverage under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC05751*AG.

After review of the site and Storm Water Pollution Prevention Plan (SWP3), I noted the following deficiencies in BMP implementation:

1. **Failure to design and install a temporary outlet structure for a sediment pond.** This is a violation of Part III.G.2.d.ii of the NPDES permit. The permanent outlet structure has been installed in the retention basin. Permanent outlets are for post-construction use. A temporary outlet structure must be installed and used during construction. Please review the enclosed specifications for temporary outlet structures from *Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (Ohio Department of Natural Resources, 2006) and modify/install as necessary to comply with these standards.
2. The joint stakes of the silt fence need to be connected by twisting the stakes together prior to staking them into the ground. Also, please keep soil away from the silt fence.
3. Concrete washings are missing the concrete washout pit. Please ensure all concrete washings are disposed of in the pit.
4. The SWP3 is a "living document"; this means that everything on site must be shown on the plans and everything shown on the plans should be found on site. If changes to the site occur, mark this on the SWP3. In particular, the SWP3 should show the 2nd construction entrance, the type of inlet protection being used, and the concrete washout pit.
5. If areas disturbed by construction activity will not be reworked within 21 days of the last date they were disturbed, the NPDES permit requires temporary stabilization to be initiated within seven days of last disturbance. There appear to be areas of the site where temporary stabilization is appropriate.

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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 August 1, 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.

Sincerely,



Katie Bowman
Assistant to the District Engineer
Division of Surface Water

KB/cl

Attachments: Photos, *Rainwater and Land Development* manual pages

cc: Matt Adkins, Project Engineer, GPD Group
Steve Handler, Inspector, GPD Group
Dave Smith, Project Superintendent, SiteTech, Inc
Dale May, Superintendent, Erdman
Todd Houser, Cuyahoga SWCD
Merle S. Gorden, Mayor, City of Beachwood

INSPECTION PHOTOS

INSPECTION PHOTOS

Beachwood Rehabilitation Hospital



Figure 1: Joint stakes of the silt fence need to be twisted together prior to staking

Figure 2: Soil is up against the silt fence



Figure 3: Concrete washings are missing the concrete washout pit

City of Beachwood, Cuyahoga County
Photos taken on July 9, 2012
Photos taken by Katie Bowman, DSW