Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

July 23, 2012

RE: LORAIN COUNTY
CITY OF AVON
PALMER VILLAGE SUBDIVISION NO 2
CONSTRUCTION STORM WATER
PERMIT NO: 3GC04245

Mr. Jim Gamellia
Gamellia Construction Inc
32745 Walker Road
Avon Lake, OH 44012

Dear Mr. Gamellia:

On July 2, 2012, I performed a compliance inspection for storm water best management practices (BMPs) at the above referenced site. I was accompanied by Rob Knopf, Engineer for the City of Avon, and Tom Hardwick, Inspector with Bramhall Engineering and Surveying Company. Our records indicate that Gamellia Construction Inc., has obtained coverage under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC04245*AG.

After review of the site, I noted that most of the individual lots have been sold and developed. Once all lots are sold and developed a Notice of Termination (NOT) must be filed. Please be aware that NPDES permit coverage must be terminated within 45 days of when the site reaches final stabilization. Final stabilization means that either:

1. All soil disturbing activities at the site are complete and a uniform perennial vegetative cover (i.e., evenly distributed, without large bare areas) has reached a growth density of 70% or greater on all unpaved areas and areas not covered by permanent structures. Equivalent stabilization measures such as the use of landscape mulches, rip-rap or gabions may be employed, where appropriate, in lieu of vegetation. In addition, all temporary erosion and sediment control practices must be removed and disposed and all sediment trapped by these practices must be permanently stabilized; or

2. For individual lots in residential construction by either:
   a. The homebuilder completing final stabilization as specified above; or
   b. The homebuilder establishing temporary stabilization, including perimeter controls for an individual lot prior to occupation of the home by the homeowner and informing the homeowner of the need for, and benefits of, final stabilization.

In addition, before NPDES permit coverage can be terminated, post-construction water quality best management practices (post-construction BMPs) must be installed and a long-term maintenance plan must be provided to the party that will be responsible for long-term maintenance of those practices, e.g., homeowners' association. Post-construction BMPs are permanent site features that will remain in perpetuity to improve the quality of storm water runoff from the development site. This site has a wet extended detention basin in place for Phases 1 and 2 of the subdivision.

For subdivided developments, the developer may terminate NPDES permit coverage before all lots are built upon if areas disturbed during construction have been permanently stabilized, centralized sediment controls are no longer required, and post-construction BMPs are installed. However, any future construction on those lots will require NPDES permit coverage, i.e., a new Notice of Intent (NOI) and permit fee must be submitted to Ohio EPA and an Storm Water Pollution Prevention Plan (SWP3) for the lot must be developed. This means that the subsequent permittee must provide on-lot sediment and erosion controls and, if not provided within the original larger common plan of development, on-lot post-construction BMPs. The developer must disclose this obligation at the time of lot sale.

Please review your site to determine if it has reached final stabilization and ensure that post-construction BMPs have been installed. Please consult with Rob Knopf to make this determination. If you determine that your site has reached final stabilization, you must submit a NOT to Ohio EPA to terminate NPDES permit coverage. The form and instructions are available on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. If you determine that your site does not yet qualify for an NOT, please provide me with a letter of explanation indicating why NPDES permit coverage cannot yet be terminated. Please submit the NOT or letter of explanation **no later than August 6, 2012**.

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/cs

cc: Rob Knopf, Engineer, City of Avon
Greg Masson, Building Inspector, City of Avon
Jim Smith, Mayor, City of Avon
Tom Hardwick, Construction Inspection Department Manager, Bramhall Engineering and Surveying Company