



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

July 19, 2012

RE: LAKE COUNTY
MADISON TOWNSHIP
MADISON MIDDLE SCHOOL
CONSTRUCTION STORM WATER
PERMIT NO: 3GC05366

NOTICE OF VIOLATION

Mr. Paul Romanic
Madison Local Schools
6741 N Ridge Road
Madison, OH 44057

Dear Mr. Romanic:

On July 12, 2012, I performed a compliance inspection for storm water best management practices (BMPs) at the above referenced site. I was accompanied by Dan Bogoevski of our Division of Surface Water, and Chad Edgars of the Lake Soil and Water Conservation District. While on site we met with Dennis O'Connor, Project Superintendent with Dunlop & Johnston, Inc.; Tom Kraker, Superintendent with Hammond Construction; and Scott Neill, Project Manager with Hammond Construction. Our records indicate that Madison Local Schools has obtained coverage under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC05366*AG.

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

1. The sediment basin currently has a well pipe installed. Please remove this pipe.
2. Batteries and other harmful materials are being kept outside. These items should be kept inside to avoid contact and possible contamination of water.
3. The fuel containment dyke is missing the plug. Please replace the missing plug to ensure a sealed container.
4. There are several oil spills on site. All contaminated soils must be disposed of in a solid waste dumpster. To prevent spills from occurring, regular checks of equipment should be done to ensure proper functioning. If a leak is inevitable, a drip pan should be placed underneath the equipment to contain the oil.
5. Concrete washings have been dumped onto the ground. This material is not permitted to be discharged into offsite bodies of water or the storm sewer. Please clean this up and direct all concrete washings to the provided concrete washout pit. The concrete washout pit is full and the liner has ripped in several places. The pit needs to be cleaned out and a new liner needs to be placed.
6. Mortar is being washed out onto the ground. This material is also not permitted to be discharged into offsite bodies of water or the storm sewer. A berm or trench should be built around this area to contain the wash water and mortar.
7. Trash and debris have been disposed of on the ground. Please clean up any waste and dispose of it properly.

8. The construction entrance needs to be redressed to reduce offsite tracking.
9. The access roads along the back of the site near the bus parking lot are very dusty. The dry weather and soil conditions have made the site extremely dusty. Installing rock construction entrances before the pavement and laying rock along access roads would reduce the amount of dirt that gets kicked up and tracked offsite.
10. Seeding has taken place on all soil left undisturbed for more than 21 days. However, due to the hot, dry weather, the seed has not taken fully. Watering of the seed may be required to achieve germination and subsequent grass growth. If 70% growth density is still not achieved, seeding and mulching may need to occur again. I was informed that seeding would be taking place again in the next week.

Violation of the NPDES permit:

- **Failure to install a temporary outlet structure prior to grading.** This is a violation of Part.III.G.2.d.i of the NPDES permit for construction activities. The skimmer device as shown on the SWP3 has not been installed yet, but the site is well passed the initial grading phase. The permit states that "Sediment basin and perimeter sediment barriers shall be implemented prior to grading and within seven days from the start of grubbing." Also, the SWP3 does not provide the orifice size for the detention basin outlet structure. Please install the skimmer and consult your engineer to calculate the proper orifice size needed during construction.

Post-Construction Concerns

Ohio EPA also reviewed the SWP3 for compliance with the post-construction requirements contained in Part III.G.2.e of the NPDES permit. Unfortunately, the information obtained from the City of Willoughby is inadequate to demonstrate compliance with these requirements. We offer the following comments on the permanent BMPs for this site:

- It appears that the permanent basin is intended to be a dry extended detention basin. In order to satisfy the requirements of the NPDES permit, dry extended detention basins must provide a forebay and micropool, each a minimum of 10% of the WQv. The basin depicted on the SWP3 does not provide a micropool. The SWP3 must be amended and the basin built to meet NPDES requirements. Please review the enclosed specifications for dry extended detention basins from *Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (Ohio Department of Natural Resources, 2006).

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.

MR. PAUL ROMANIC
JULY 19, 2012
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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:bo

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

pc: Chad Edgars, Lake SWCD
Dennis O'Connor, Project Superintendent, Dunlop & Johnston, Inc.
Tom Kraker, Superintendent, Hammond Construction
Scott Neill, Project Manager, Hammond Construction
Township Trustees, Madison Township

INSPECTION PHOTOS

Madison Middle School



Figure 1: Outlet structure and well pipe for sediment basin



Figure 2: Batteries left outside



Figure 3&4: Fuel containment dykes missing the plug



Figures 5&6: Oil spills on ground



Figures 7&8: Concrete washed out onto the ground



Figure 9: Concrete washout pit is overflowing and the liner is ripped
Figure 10: Mortar mixing area; should be contained



Figure 11: Trash and debris on the site



Figure 12: Redress construction entrance



Figure 13: Areas where a rock construction entrance/access road would be beneficial



Figures 14: Erosion channels forming on the sides of the sediment basin. Sediment from the sides is washing into the basin



Figure 15: Area where sediment trap 3 was; might need to be reinstalled here