



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Putnam County
Midway Products GRP INC
Construction
Storm Water

July 27, 2012

Mr. Kent Downing
Midway Products Group Inc.
One Lyman East Hoyt Drive
P.O. Box 737
Monroe, Michigan 48161

Dear Mr. Downing:

On June 5, 2012, Jessica Heitman and I inspected Midway Products GRP INC in Columbus Grove (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. 2GC00715. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. James Horstman, Project Supervisor from Ferguson Construction Company, was present to provide information on the project. Our records indicate that there are no co-permittees on this project.

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

1. At the time of inspection, grading was complete.
2. The Storm Water Pollution Protection Plan was on site and available.
3. The weekly inspection logs were kept and on site, but they were inadequate. 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. Erosion was evident from minor rills in the swale. According to James Horstman, the swale had been seeded the week prior to inspection. However, the seed did not seem to be taking and no mulch or other form of cover had been laid down. Other areas of the site and stockpiles were showing signs of long term erosion, and had not yet been seeded.

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

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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.* All bare idle areas of the site must be stabilized. If there is not a sufficient cover of grass to control erosion at this time (70% density), then I recommend applying straw mulch at two tons per acre and maintaining this cover until the fall, when seasonal conditions are more appropriate for seeding.

5. No practices were installed to stabilize the western outlet on the southern part of the swale from erosive flows. I recommend that stone aprons be placed at storm water outfalls.

Permit Requires: Operators shall undertake special measures to stabilize channels and outfalls. The SWP3 shall incorporate measures that control flow so as to prevent erosion. *Please see Part III.G.2 of the permit.*

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 419-373-3011.

Sincerely,



Bernard E. Weik
Division of Surface Water
Storm Water Program

/jlm

ec: Terry Schroeder, NRCS District Conservationist

pc: NWDO File