



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Ottawa County
Bay Point Shores Subdivision
Construction
Storm Water

July 31, 2012

Mr. Brook Brown
Bay Point Shores Subdivision
10948 East Bay Shore Road
Marblehead, Ohio 43440

Dear Mr. Brown:

On July 9, 2012, I inspected the Bay Point Shores Subdivision construction site located at 10948 East Bay Shore Road, Danbury Township, Ottawa County. The purpose of my visit was to evaluate compliance of the site with your National Pollutant Discharge Elimination System (NPDES) Permit for storm water associated with construction activity, Facility ID No. 2GC01936*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following are comments or violations of the NPDES permit:

1. At the time of the inspection, roads and utilities were in, numerous houses have been built with additional homes under construction. The Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not available for review.
2. Not all disturbed areas have been properly stabilized. There are many bare patches of soil visible. Erosion patterns with rills are evident. The 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 days. 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. 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 your permit.
3. There was no inlet protection on any of the catch basins on the curbs throughout the subdivision. There was dirt in numerous places along the curbs from the unstabilized areas. This is a violation of Part III.G.w.3.iv. of the permit.

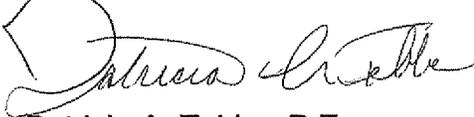
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4. There is a pond constructed to accept storm water from the roads. This pond is not constructed to be used as a sediment pond during construction. I observed sediment accumulating in the pond. Inlet protection shall be maintained on this site until all construction has been completed.

Please submit written notification of what measures you have taken to correct the above violations to my attention at this office within 10 days of the date on this letter. These same violations have been noted in a previous inspection. If these violations continue to occur, we will have no choice but to recommend escalated enforcement action to achieve compliance.

If you have any questions, please contact me at (419) 373-3016 or by e-mail at patricia.tebbe@epa.state.oh.us.

Sincerely,



Patricia A. Tebbe, P.E.
Division of Surface Water

/jlm

pc: Ottawa County Engineer
Ottawa County Soil and Water Conservation District
Follow-up file

ec: Tracking