



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Williams County
Bryan Community Housing
Construction
Storm Water

July 31, 2012

Mr. Bill Schumaker
Bryan Community Housing LP
220 Marion Road
Mansfield, Ohio 44903

Dear Mr. Schumaker:

On June 26, 2012, Bernard Weik and I inspected Bryan Community Housing located at 936 East Wilson Street, Bryan (photos taken). The purpose of the inspection 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. 2GC03008*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

Ohio EPA has not received a Co-Permittee Notice of Intent (NOI) application for this project. This form is used by construction site operators, as defined in Part VII.O. of the Construction General Permit, to become co-permittees with the initial permittee of a construction site. Please note that Part II.A. of the Construction General Permit (CGP) **requires all operators at a construction site to become co-permittees**. Copies of the Co-Permittee NOI may be downloaded from our website at <http://epa.ohio.gov/dsw/storm/stormform.aspx>.

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

1. At the time of the inspection, construction at the site was ongoing. The project is a rehabilitation of an existing community and all work was being conducted inside at the time. Curbs were in place, but there was no final course of asphalt yet.
2. A Storm Water Pollution Prevention Plan (SWP3) had been developed and was available for review.
3. Inspection logs were not kept. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. 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.*

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4. No sediment controls were in use. *Permit requires:* Structural practices shall be used on all sites remaining disturbed for more than 14 days. They shall be implemented prior to grading and within seven days from the start of grubbing. They must remain in place until the upslope area is restabilized. *This is a violation of Part III.G.2.d. of the permit.*
5. No inlet protection had been installed for the catch basins at grade. *Permit requires:* Practices shall minimize sediment laden water from entering active storm drains unless they drain to a sediment settling pond. *This is a violation of Part III.G.2.d.iv. of the permit.* I recommend that proper inlet protection be installed on any catch basins at or below grade.
6. All temporary or permanent stabilization has not been established. *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 days on inactive barren areas within 50 feet of a stream. 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.*

Within 10 days of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as the actions taken or proposed to prevent 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) 373-3025.

Sincerely,



Jessica Heitman
Division of Surface Water
Storm Water Program

/jlm

ec: Tracking