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

July 30, 2012

RE: SUMMIT COUNTY
CITY OF AKRON
OUR LADY OF THE ELMS
CONSTRUCTION STORM WATER
PERMIT NO: 3GC03552

Ms. Laura Tinney
Our Lady of the Elms
1220 W Market Street
Akron, OH 44313

Dear Ms. Tinney:

On July 17, 2012, I performed an inspection at the above-referenced site to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC03552*AG. Our records indicate that Our Lady of the Elms was granted coverage under the NPDES permit on October 26, 2007.

It appears that construction activities are complete and the site has been stabilized. Please be aware that NPDES permit coverage must be terminated within 45 days of when the site reaches final stabilization. Final stabilization means that 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.

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. Examples of post-construction BMPs include, but are not limited to, extended detention basins, bioretention cells (or "rain gardens"), sand filters, permeable pavement and enhanced swales. In some cases post-construction BMPs include non-structural preservation areas such as riparian setbacks and conservation easements.

Please review your site to determine if it has reached final stabilization and ensure that post-construction BMPs have been installed. *Please consult with Ralph Coletta, P.E. to make this determination.* If you determine that your site has reached final stabilization, you must submit a Notice of Termination (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 10, 2012**.

If you have any questions, please contact me at (330) 963-1145 or by e-mail at Katie.Bowman@epa.state.oh.us or Dan Bogoevski at Dan.Bogoevski@epa.state.oh.us.

Sincerely,

Katie Bowman
Assistant to the District Engineer
Division of Surface Water

KB:bo

pc: Ralph Coletta, Engineer, City of Akron
Donald L. Plusquellic, Mayor, City of Akron
Brian Prunty, Summit County SWCD