

**Ohio EPA DSW Storm Water Section, Construction Site Visit Information Form**

Inspector initials: EWC Visit date: 8/14/12 Permit # 16C03852-AG

Site Name: The Banko Project - Phase 1

Site Address: 10 E Mehring Way Lot A, Cincinnati OH 45202

People contacted on site (attach business cards): Joe Poynter, Joe Site Super

Their phone and e-mail: 513-477-0609

1. Did you see the following on site?

ITEM	Yes/No	Not requested	Comments
NOI	Yes		
Coverage letter	Yes		
SWP3	Yes		
Inspection records	Yes		Not up to date
Contractor & Subs signature document	No		

2. Acreage disturbed (circle): < 1 acre >1 but <5 acres <sup>5</sup> >5 but <10 acres >10 acres ??

3. Site status,; Clearing/grubbing Rough grading Storm sewers in Streets in  
 Utilities installed Final grade Final stabilization

4. Are BMPs needed on site? Yes

5. Are BMPs on site effective? All Some None No BMPS

Explain: Silt Fence has not been maintained

6. What post construction controls are shown on the SWP3? None

7. Were photos taken and saved? Yes

8. Was an NOV issued? Yes

Notes:

- Silt Fence has many holes and damages
- Inspected park East as well
  - See Will no water to River
- Proximity to river is concern



Environmental  
Protection Agency

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

August 15, 2012

Mr. Tim Knapke  
Prus Construction  
3525 Wooster Pike  
Cincinnati, OH 45226

**RE: Notice of Violation, The Banko Project- Phase 1 NPDES permit 1GC03852\*AG**

Dear Mr. Knapke,

On Tuesday, August 14<sup>th</sup>, 2012, I inspected The Banko Project Phase 1 in Cincinnati to determine compliance with the site's construction storm water discharge permit. During the visit I spoke with Joe Poynter with Prus Construction about the erosion controls at the site. He also assisted me with my inspection and provided all of the paperwork that I requested. Based on my observations the site is out of compliance with the following portion of the permit:

**Part III.G.2.h Maintenance of Controls**

The silt fence that was put in last fall as a result of the July 5, 2011 inspection findings has not been maintained. The silt fence that is standing has many failures throughout. Based on photos from last year's inspection, the lower elevation silt fence is completely gone. The permit states *all temporary and permanent control practices shall be maintained and repaired as needed to ensure continued performance of their intended functions*. Mr. Poynter mentioned that the site was dormant for a long period of time, but these controls still need to be kept in working shape during these slow times. The proximity of this site to the Ohio River should make maintaining these controls a very important task for your employees.

**Part III.G.2.i Inspections**

Mr. Poynter provided me with the inspection logs for the site. The site inspections were being made last fall and then stopped at the end of October. Even if the site went dormant at this time, it still needed to be inspected. If inspections had been made while the site was at a standstill, the silt fence failures could have been fixed in a timelier manner. The permit states *at minimum, procedures in a SWP3 shall provide that all controls on the site are inspected at least once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24 hour period*. Once the new controls are put in place, they need to be inspected for maintenance issues and fixed as needed.



Mr. Tim Knapke  
Prus Construction  
August 15, 2012  
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I discussed all of these issues with Mr. Poynter at the end of my inspection. He said that he would get new silt fence installed as soon as possible. In a written response, please explain who is responsible for weekly inspections and maintaining the site's erosion controls. As the site permit holder, it is your responsibility to make sure the site is in compliance with the NPDES permit. One option, if you are not on the site, is to get sub-contractor documentation that lets them know they are responsible for permit compliance as well. In addition to the information requested above, please include photos of the made corrections by August 24, 2012.

The permit can be found at:

<http://www.epa.ohio.gov/LinkClick.aspx?fileticket=y8F9MECTVQ%3d&tabid=3466>.

If you have any questions, you can call me at 937-285-6464 or email me at [evan.cadwallader@epa.ohio.gov](mailto:evan.cadwallader@epa.ohio.gov).

Sincerely,



Evan Cadwallader  
Division of Surface Water  
Storm Water Unit

EC/ff

