



**Environmental
Protection Agency**

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

Re: Erie County
Windamere Subdivision Phase III
Construction
Storm Water

August 15, 2012

Mr. Pat Shenigo
Carben Jewel Development Company, Inc
1206 Hull Road
Sandusky, Ohio 44870

Dear Mr. Shenigo:

On July 26, 2012, Judson Delancey and I inspected Windamere Subdivision Phase III at Windamere Lane, Perkins Township (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. 2GC00744*AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. No one was present at the time of the visit.

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

1. At the time of the inspection, there was no active construction on any lots. Roads, curbs, and utilities were installed. It was not evident what post construction storm water management controls had been installed to meet the permit requirements. Carben Jewel LLC owns the undeveloped lots.
2. Due to the absence of personnel, the Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not available for review.
3. According to our records, no other permittees have been granted Construction General Permit (CGP) coverage for this site. The act of selling lots does not automatically relieve the original permittee of his permit obligations. Permit coverage must be continued on sold lots until the lots are eligible for, and the permittee has submitted, a Notice of Termination (NOT). For developments that require the use of centralized sediment and erosion controls (controls that address runoff from one or more lots, such as inlet protection and sediment settling basins), for which the transfer of permit coverage for a portion of the development will either prevent or impair the implementation of the controls, the permittee is required to maintain responsibility for the implementation of those controls. Where this is not the case, the permittee must

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temporarily stabilize sold lots seven days prior to permit transfer, inform the individual lot owner of the permit obligations, and ensure that the Individual Lot Notice of Intent (Lot NOI) application is submitted to Ohio EPA. *Please see Part I.D. of the permit.* Copies of the Lot NOI are available on our website at:

<http://www.epa.state.oh.us/dsw/storm/stormform.html>

There is no application fee. For any undeveloped lots that have sold, please contact the new lot owners about their permit obligations and submitting the Lot NOI.

Within 10 days of the date on this letter, please submit a written description of how the post construction storm water management requirements will be met for this project. Your reply should include the type(s) of practices you are implementing and the basis for their design.

If there are any questions, please contact me at (419) 373-3025.

Sincerely,



Jessica Heitman
Division of Surface Water
Storm Water Program

/jlm

ec: Eric Dodrill, Superintendent, Highway Department, Perkins Township,
Crystal Dymond, Storm Water Program Coordinator, Erie SWCD

pc: NWDO File