



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Lucas County
Bayshore Medical Office Building
Construction
Storm Water

August 17, 2012

Mr. Peter Westmeyer
Manager
WP II LLC
181 West Madison, Suite 4700
Chicago, Illinois 60602

Dear Mr. Westmeyer:

On July 17, 2012, I inspected the Bayshore Medical Office Building at 3333 Dustin Drive, Oregon. This was a follow-up visit to our June 4, 2012, inspection. 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. 2GC03137. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Our records indicate that there no co-permittees on this project. Mr. Mathew Robson, Assistant Superintendent of Premier Design and Build Group, was present to provide information on the project.

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

1. At the time of inspection, framing was underway. In the southwest corner of the site, an extended detention pond had been constructed.
2. The Storm Water Pollution Prevention Plan (SWP3) was available on site.
3. Inspection logs were inadequate. Records must include a certification that the facility is in compliance with the SWP3 and the permit. 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.*
4. A paved parking lot existed to the north of the site, and there was a stone construction entrance on the south side of the site off of Dustin Road. No sediment tracking was observed.
5. Silt fencing was installed around the perimeter of the site. However, the joints were incorrectly installed. The lines of silt fencing overlapped at the ends. Instead, the stakes must be twisted around each other so that the fabric wraps around both stakes before staking the fence into the ground. The silt fence was slightly upgrade and must be corrected prior to any grade changes that will direct runoff towards the silt fence.

Permit requires: All sediment and erosion control practices must meet the standards of the current edition of *Rainwater and Land Development: Ohio's Standards for Storm Water Management, Land Development, and Urban Stream Protection*. Please see Part III.G.2. of the permit.

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6. All temporary or permanent stabilization had 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. 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.* As a minimum, I recommend applying straw mulch to all idle bare areas. Matting or stone may be required on the pond banks

Within 10 days of the date on this letter, please submit to this office a **written response** to the above comments. Your reply should describe the actions taken or proposed to prevent any future violations, including dates for completion of the actions. Please demonstrate how the sediment settling pond design requirement will be met for this project. Information must include the pond's maximum drainage area, riser pipe/spillway elevations, the required dewatering volume and the required sediment storage volume, and the related elevations at which these volumes are obtained. We have received an adequate reply to the previous Notice of Violation, which was sent on July 3, 2012.

If there are any questions, please contact me at 419-373-3011.

Sincerely,



Bernard E. Weik
Division of Surface Water
Storm Water Program

/jlm

cc: Andrea Beard, Department of Public Service, City of Oregon
Tracking