



**Environmental  
Protection Agency**

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

September 20, 2012

RE: SUMMIT COUNTY  
CITY OF GREEN  
STORM WATER  
3GQ00065\*BG

Mr. Wayne Wiethe, ALCP  
Director of Planning  
City of Green  
1755 Town Park Boulevard  
P.O. Box 278  
Green, Ohio 44232-0278

Dear Mr. Wiethe:

We would like to take this opportunity to discuss the Heritage Crossing development located at the northeast intersection of Graybill Road and Massillon Road in the City of Green, Summit County, General Construction Permit No. 3GC05303\*AG. The roadway leading into the development off Massillon Road was installed with several catch basins and two storm sewers collecting and discharging storm water directly to waters of the state of Ohio without being treated by a post construction best management plan (BMP). This is a clear violation of the Construction General Permit 3GC000003, Part III.G.2e under Post Construction Requirements. We are not aware of any request made to our office for an alternative practice. This request would have to be made prior to the submittal of the original Notice of Intent (NOI). It most likely would have been denied by this office. If the City or the Developer has a record of this request, please submit it.

It is acknowledged that the originally approved Storm Water Pollution Prevention Plan (SWPPP) for this site did not contain the necessary BMP's for this roadway. This was an oversight at the time but is not a reason for it to remain. It must be corrected. Summit Soil and Water first notified the City of Green and CAM Development on August 2, 2012 via e-mail that the Post Construction BMP's were not designed and installed. As a MS4 community and per NPDES Permit 3G000065\*BG the City is obligated to seek enforcement and rectify this violation. In addition to the aforementioned violation, it has recently come to our attention that there are Army Corp issues regarding the installation of three sided box culverts inside the normal high water mark of the stream at this site and utility crossings. These issues combined with the numerous documented violations of the construction general permit at this site cited this year by this office and Summit SWCD, warrant an escalated enforcement action that should include at least a stop work order until the aforementioned is resolved. Resolution of this matter must involve a SWPPP amendment for this site for City and Summit SWCD approval and subsequent implementation of the BMP chosen. You are requested to respond in writing to this office no later than September 28, 2012 with the City's intention to resolve this matter.

If you have any questions or would like to discuss this letter in further detail we would be glad to arrange a meeting at this office. You can contact this writer at (330) 963-1136 or by e-mail at [phil.rhodes@epa.state.oh.us](mailto:phil.rhodes@epa.state.oh.us).

Sincerely,



Philip P. Rhodes, P.E  
Environmental Specialist II  
Division of Surface Water

PPR/cs

cc: City of Green, Mayor or City Manager and Council  
Brian Prunty, Summit SWCD  
Rob Guld, CAM Inc.