



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

Re: **Notice of Violation**
Lucas County
Construction Storm Water
VA Outpatient Clinic
Facility ID No. 2GC02842

November 1, 2012

Mr. Adrian Anderson
Toledo VA Company LLC
27500 Detroit Road Suite 300
Westlake, Ohio 44145

Mr. Michael Bettinger
Douglas Company
1716 Perrysburg-Holland Road
Holland, Ohio 43523

Mr. Ronald Swan Jr.
TSP Environmental
12641 Stark Road
Livonia, Michigan 48150

Dear Messrs. Anderson, Bettinger, and Swan:

On October 25, 2012, I inspected the VA Outpatient Clinic at 1200 South Detroit Avenue, Toledo (photos taken). The site operates under the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity. The visit was requested by Michael Simko, the Douglas Company, to assess the status of stabilization of the site. Mr. Simko was present to provide information.

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

1. At the time of inspection, the parking lot and building had been constructed. Earthwork had concluded.
2. The site had been seeded. Grass was growing, but it appeared that the initial seeding was not successful in numerous areas throughout the property, possibly due to the drought conditions experienced over the summer. These bare areas have been reseeded. Grass seed had germinated; however, a 70% density of perennial vegetation has not yet been reached. Please be aware that a Notice of Termination (NOT) form may not be submitted to end permit coverage until a uniform perennial vegetative cover (evenly distributed, without large bare areas) with a density of at least 70% cover has been established. I have enclosed a visual aid for your use.

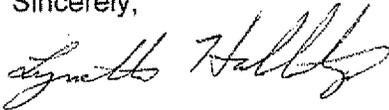
3. Two extended detention ponds reportedly control most of the site's runoff: one to the east and one to the north of the building. Both ponds had standing water. The east pond appeared to have an oil sheen across the water's surface. Absorbent pads may be used to remove minor sheens. The storm sewer from the east pond may be clogged, as the corrugated metal pipe outlet from the concrete catch basin structure was completely submerged.

On the north pond, the geotextile under one of the pond's storm sewer inlets was visible. It appears that scouring has moved the inlet's stone apron. This apron must be fixed. Due to the scouring, you should assess whether the apron was appropriately designed (including the stone size) and installed. The ponds must be routinely inspected to detect issues such as these and must be properly maintained to keep pollutants out of the storm sewer system. *Failure to maintain storm water controls is a violation of Part III.G.2.h. of the permit.*

Please investigate the above items and provide an update of your findings with your reply to this letter. **A written response is expected within 30 days of the date on this letter.** Your response should include the actions taken or proposed to prevent any violations, and the dates, either actual or proposed, for the completion of the actions. Please include with your reply the type(s) of practices you are implementing to meet the post construction storm water management requirements of the permit and the basis for their design.

If there are any questions, please contact me at 419-373-3009.

Sincerely,



Lynette Hablitzel, PE
Division of Surface Water
Storm Water Program

/jlm

Enclosure

ec: Patekka Pope Bannister, City of Toledo Division of Environmental Services
Tracking

COVER ESTIMATOR

(PERCENTAGE OF DARK AREA)

