



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

Re: **Notice of Violation**
Lucas County
Construction Storm Water
Perrysburg-Holland Rd. Bridge #1549
Over Swan Creek Facility ID No.
2GC03099

November 1, 2012

Mr. Joel Palermo
Lucas County Engineer
One Government Center Suite 807
Toledo, Ohio 43604

Mr. Matt Schroeder
Miller Brothers Construction Inc.
P.O. Box 30
Archbold, Ohio 43502

Dear Messrs. Palermo and Schroeder:

On October 25, 2012, I inspected the Perrysburg-Holland Road Bridge #1549 over Swan Creek, located on Perrysburg-Holland Road 0.1 mile north of Heatherdowns Boulevard, Toledo (photos taken). The site operates under the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity. Mr. Matt Schroeder, Project Manager with Miller Brothers Construction, was present to provide information.

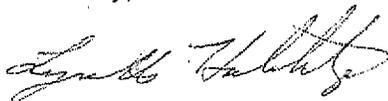
As a result of the inspection, I have the following comments:

1. At the time of inspection, the bridge deck had been poured. It was covered with plastic and burlap. Water was being applied as part of the curing process. The water was discharging directly to Swan Creek along the length of the east side of the bridge. There was no visual effect on the stream (color, turbidity). There was also a slight discharge on the west side of the bridge, north of the stream that ran down the embankment, and was overtopping the silt fence in the drainageway and entering Swan Creek. This water was turbid and had a surface film where it was ponding behind the silt fence. I observed a small area of light colored particulates deposited in Swan Creek where the discharge reached the stream. The permittee must implement all necessary Best Management Practices (BMPs) to prevent the discharge of non-sediment pollutants to waters of the State. *This is a violation of Part III.G.2.f. of the permits.* When curing concrete, discharge points must be routinely inspected. Additional controls must be implemented if discharges are turbid or result in sedimentation in waters of the State.

2. The Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not available onsite. *This is a violation of Part III.C.2. of the permit.* Mr. Schroeder also reported that a log documenting grading and stabilization activities had not been kept. *This is a violation of Part III.G.1.m. of the permit.*
3. Storm sewers had been installed, with rip rap below outfalls. Inlet protection appeared to have been installed on all drop inlets. Inlet protection was absent on the curb inlet on the east side of Perrysburg–Holland Road near Knights Hill Lane. *This is a violation of Part III.G.2.d.iv. of the permit.* I recommend that proper inlet protection be installed.
4. Silt fence had been installed along the river banks. The silt fence on the east side of the bridge (south bank of the river) had not been installed along the contour and had not been curved upslope at each end. *Permit Requires:* All erosion and sediment control practices used to meet the conditions of this permit should meet the standards and specifications of the current edition of Ohio's Rainwater and Land Development Manual (ODNR) or other standards acceptable to Ohio EPA. *This is a violation of Part III.G.2. of the permit.* This line of silt fence must be properly installed.
5. Embankments on all sides of the bridge and both sides of Swan Creek were at rough grade. It was reported that earthwork had not occurred in roughly a month and final grading was not anticipated for another two weeks. *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. Soil stabilization practices shall be initiated within two days on inactive, barren areas within 50 feet of a stream. 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 the permit.* Mr. Schroeder reported that temporary seeding and mulching was schedule to occur the next day. Due to the degree of slope, most if not all of the embankments will require matting when installing final stabilization.

Within 10 days of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions. If there are any questions, please contact me at 419-373-3009.

Sincerely,



Lynette Hablitzel, P.E.
Division of Surface Water
Storm Water Program

/jlm
ec: Tracking