



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

Re: Lucas County
Toledo Botanical Garden
Construction Storm Water
Facility ID No. 2GC03245

November 8, 2012

Mr. Josh Miller
Toledo Botanical Garden
5403 Elmer Drive
Toledo, Ohio 43615

Dear Mr. Miller:

On November 1, 2012, I visited the Toledo Botanical Garden (TBG) at 5403 Elmer Drive, Toledo (photos taken) as part of the Restoring Streams in Lucas County workshop sponsored by The Olander Park System, TMACOG, and Partners for Clean Streams. The stream and lake restoration project currently has coverage under the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity. Mr. Matt Horvat, TMACOG Maumee River Coordinator, was present to provide information on the project.

Ohio EPA has not received a Co-Permittee Notice of Intent (NOI) application for this project. This form is used by construction site operators, as defined in Part VII.O. of the Construction General Permit, to become co-permittees with the initial permittee of a construction site. Please note that Part II.A of the Construction General Permit (or CGP) requires all operators at a construction site to become co-permittees.

At the time of the inspection, no earthwork was occurring. The Hill Ditch dams had been breached in the summer, so Crosby Lake had been significantly dewatered. Some construction equipment was onsite and additional pieces were to be mobilized from the Camp Miakonda project to TBG within the next week. It was anticipated that instream work would commence the following week. A silt curtain had been used in Hill Ditch below the project.

When construction activities do resume, please remember the permit requirements for storm water management during construction, such as weekly self-inspections and the requirement to apply cover on bare soil in any areas that will sit idle for more than 21 days or that have reached final grade. For areas within 50 feet of a surface water, cover is to be applied within two days. Your sediment controls must be installed within seven days of grubbing and before any grading.

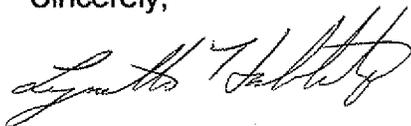
Mr. Josh Miller
November 8, 2012
Page Two

Mr. Horvat had a question about documenting inspections. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. Inspections must include: disturbed areas, material storage areas, all sediment and erosion control measures, discharge locations, and all vehicle access points. Records must include: inspector name and qualifications, inspection date, observations, a certification that the facility is in compliance with the Storm Water Pollution Prevent Plan (SWP3) and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. More details on inspection requirements can be found at Part III. G.2.i. of the permit.

The permit also requires that a log documenting grading and stabilization activities, as well as amendments to the SWP3, be maintained (see Part III.G.1.m. of the permit). To stay in compliance with the stabilization requirements, I recommended that a site map be used to more accurately delineate work areas and note the related dates. Ohio EPA does not have a required inspection or documentation form, since the site layout and the controls used vary from project to project. However, I have enclosed a sample log that may aid you in creating your own. It is suggested that a site map be used in conjunction with a written log to capture the location and area of observations (i.e. the location of the section of silt fence that failed; the extent of the area where temporary seeding and mulching was applied).

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

Enclosure

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