



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

November 19, 2012

**RE: HOLMES COUNTY
MILLER-HOPE CONDOMINIUM
DEVELOPMENT
NPDES PERMIT NO. OHC000003
OHIO EPA PERMIT NO. 3GC05169*AG
STORM WATER POLLUTION PREVENTION
PLAN REVIEW**

Roy Miller
Miller-Hope Development Co., LLC
5156 S Kohler Road
Apple Creek, OH 44606

Bill Mullet, CEO
ProVia
2150 State Route 39
Sugar Creek, OH 44681

Harry Matter, President
Civil Design Associates
1760 Brightwood Rd. S.E.
New Philadelphia, OH 44663

Dear Mr. Miller, et al:

On October 18, 2012, Ohio EPA met with Mr. Mullet and Mr. Matter to discuss the following items at the Miller-Hope Condominium Development aka the Cove, located at 4870 Township Road 403, Walnut Creek Township, Holmes County (site):

- Previously documented violations of General National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Associated with Industrial Activity (General Storm Water Permit), permit No. 3GC05169*AG.
- Temporary stabilization must be implemented on all idle areas of the site. Via an email, Mr. Mullet provided documentation that the site was temporarily stabilized.
- No individual lot best management practices (BMP) have been implemented for lots that do not discharge to a sediment settling pond.
- No post-construction BMPs have been implemented on the site's separate storm sewer system. Mr. Matter explained that the original design of the south eastern sediment settling pond was modified from the original design to include underground detention with an eight inch outlet. Ohio EPA explained that underground detention systems are considered alternative post-construction BMPs that must receive Ohio EPA approval prior to installation.

- The timeframe for a storm water pollution prevention plan (SWP3) to be submitted for review.

Storm Water Pollution Prevention Plan

On November 13, 2012, Ohio EPA received a copy of the revised SWP3. After a review of the SWP3, the following deficiencies must be addressed via the submittal of a revised SWP3:

- Part III.G.1.g of the General Storm Water Permit requires an implementation schedule which describes the sequence of major construction operations (i.e., grubbing, excavating, grading, utilities and infrastructure installation) and the implementation of erosion, sediment and storm water management practices or facilities to be employed during each operation of the sequence. The SWP3 does not include this information.
- The three sediment settling ponds depicted on the SWP3 have not been designed to include properly designed outlet structures (i.e. dewatering skimmer, etc.) for sediment removal during construction.
- Part III.G.2.e of the General Storm Water Permit requires post-construction storm water practices to provide perpetual management of runoff quality and quantity. Structural (designed) post-construction BMPs must be incorporated into the permanent drainage system for the site. The SWP3 **does not** depict post-construction storm water management practices for the site in the following locations:
 - i. The storm basin located in the southwestern portion of the site has not been designed correctly for post construction;
 - ii. No post-construction BMPs have been depicted for the storm sewer serving the portion of the street located in "out lot 21;" and
 - iii. No post-construction BMPs have been depicted for the storm sewer that is connected to the "exist. 36" stm" and serving the portion of the roadway located in "out lot 12."

Ohio EPA recommends that the post-construction BMPs be designed in accordance with the Rainwater and Land Development manual or in another design manual acceptable for use by Ohio EPA. The above locations must be modified to satisfy the requirements established within Part III.G.2.e of the General Storm Water Permit through the inclusion of post-construction BMPs.

- The post construction operation and maintenance plan must be a stand-alone document, which contains:
 - i. A designated entity for storm water inspection and maintenance responsibilities;
 - ii. The routine and non-routine maintenance tasks to be undertaken;
 - iii. A schedule for inspection and maintenance;
 - iv. Any necessary legally binding maintenance easements and agreements; and
 - v. A map showing all access and maintenance easements.

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- The SWP3 must include detailed design drawings of the post-construction BMPs that will be utilized to address the three locations, detailed above. In addition, specific information (i.e. water quality volume calculations, draindown times, etc.) must be included to verify the design of the post-construction BMPs.

This correspondence serves to inform you that the site's SWP3 is deficient and must be revised to include the above items. A copy of the revised SWP3, post-construction storm water management practices design calculations, and the O&M plan must be submitted to my attention within ten days of receiving this correspondence. Should you have any questions regarding this matter, please contact me at your earliest convenience at (330) 963-1118 or via email at chris.moody@epa.ohio.gov.

Sincerely,



Chris Moody
Environmental Specialist II
Division of Surface Water

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