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

January 7, 2013

RE: CUYAHOGA COUNTY
CITY OF BEACHWOOD
CONSTRUCTION STORM WATER
ALOFT HOTEL
PERMIT NO: 3GC06128

Scott Berkowitz
Brown Gibbons Lang & Co
1111 Superior Ave, Suite 900
Cleveland, OH 44114

Dear Mr. Berkowitz:

On December 6, 2012, Ohio EPA conducted a compliance inspection of storm water best management practices (BMPs) at the above referenced construction site. I was accompanied on my inspection by Molly Drinkuth and Dean Stoll of our Division of Surface Water and Brian Booth, project manager for Pride One Construction. Our records indicate that Brown Gibbons Lang & Co have obtained authorization to discharge storm water under the Ohio EPA General National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Associated with Construction Activities #3GC06128*AG.

Our inspection revealed the following deficiencies in sediment and erosion control:

- **Perimeter controls were not installed to protect the drainage channel along the north side of the site from sediment-laden runoff.** Mr. Booth was instructed to install a silt fence, filter sock or compost berm along the north edge of disturbance to establish perimeter sediment control. NOTE: It is understood that the drainage channel will be enclosed in a pipe. These perimeter controls may have to be relocated or may not be required once the channel is enclosed. After the channel is enclosed, please assess site grades and if disturbed areas are still sloped toward the north, provide one of the aforementioned perimeter controls. Ensure storm drain inlet protection is installed on all storm sewer catch basins.

- **Silt fence along the east side of the site is in need of repair.** Mr. Booth was instructed to replace and repair silt fence that has torn or otherwise been damaged. We observed sediment in the open drainage channel along Richmond Road as a result of non-maintenance.

- **The storm water pollution prevention plan (SWP3) does not provide measures for temporary routing of flow conveyed through the north side drainage channel during the culverting process.** The contractor had installed a sump upslope of the area of current construction to pump flow past the work zone; however, the sump pit was small and constructed by excavation, exposing soil. Further, the pump was resting on

the bottom of the now-bare drainage channel. This will result in sediment being discharged by the pump. If culverting has not yet been completed, please review the specifications in Section 5.7: Dewatering Measures in ***Rainwater and Land Development***, *Ohio's Standards for Stormwater Mangement, Land Devleopment and Urban Stream Protection* (Ohio Department of Natural Resources, 2006) and add appropriate measures to the SWP3 to address this concern.

- **The SWP3 does not provide any indication of how the post-construction requirements of the NPDES permit will be met.** Part III.G.2.e of the NPDES permit requires the plan of development to include permanent BMPs to address the quality and quantity of runoff from this site in perpetuity. The City of Beachwood indicates that this site may be making use of a regional extended detention basin. Please review the situation with your project engineer and provide me with your post-construction BMP plan. Please note that the SWP3 is not complete without a post-construction BMP plan and a long-term maintenance plan for each post-construction BMP.

You are directed to provide me with a letter of response indicating the actions you will take to address the deficiencies noted above. Include any amendments to the SWP3 in response to comments with your response. Your response should be received **no later than January 22, 2013**. Please be aware that failure to comply with the NPDES permit is a violation of Ohio Revised Code 6111.04 and 6111.07 and is punishable by fines of up to $10,000 per day of violation.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,

Dan Bogoevski

Dan Bogoevski
District Engineer
Division of Surface Water

DB/cs

Cc: Brian Booth, Pride One Construction
Merle S. Gorden, Mayor, City of Beachwood
Joseph Ciuni, Engineer, City of Beachwood
Randy Allar, Inspector, GPD Group
Tom Kreczko, Storm Water Management Coordinator, City of Beachwood
Travis Crane, TGC Engineering

Ec: Molly Drinkuth, Ohio EPA, DSW, NEDO

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Photos Taken: December 6, 2012
By: Molly Drinkuth, DSW, NEDO

Fig 1. North side drainage channel looking east. Note that there is no silt fence or other perimeter control to protect the channel.

Fig 2 & 3. Sediment-laden runoff is collecting within depressional areas or within excavations on the site. Ensure the contractor uses approved dewatering methods when releasing this runoff. Methods include pumping to a sediment pond, use of a dewatering bag or dewatering in place after allowing at least 24 hours of settling time. The pump intake must either be floated on top or placed in a perforated riser wrapped in geotextile.

Fig 4 & 5. Silt fence along Richmond Rd has a hole in it or is not trenched and backfilled to cause runoff to pond behind it. Sediment was observed in the drainage channel along Richmond Rd.

Fig 6. A small sump pit was excavated to route flow through the northern drainage channel around the area where culvert was being placed. The method used was not executed in a manner that would minimize the discharge of sediment.