



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

Re: **Notice of Violation**
Wood County
Proposed Industrial Building
Storm Water Construction

February 12, 2013

Mr. Eric Pedersen
Insite Real Estate Investments LLC
1400 Sixteenth Street, Suite 300
Oak Brook, Illinois 60523

Miller Bros. Construction
P.O. Box 30
Archbold, Ohio 43502

Dear Mr. Pedersen and Miller Bros. Construction:

On January 16, 2013, I inspected the site of the proposed industrial building on the southeast corner of State Route 25 and State Route 582, Middleton Township, Wood County, Ohio. The purpose of the visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID #2GC03219AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. I met Mr. Ralph Ranck of Felderman after my inspection. Mr. Ranck provided information on the project.

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

1. At the time of the inspection, the building was up and pavement and utilities were in.
2. Silt fence had been installed around the perimeter of the site. Storm water ponds were installed and in use.
3. Most of the soil throughout the site was bare with little stabilization with significant erosion occurring in some areas. *This is a violation of Part III.G.2.b. of the CGP, which requires stabilization of any area that will remain undisturbed for 21 days or remain idle over winter.*
4. There was some construction debris on the north side of the building. *This is a violation of Part III.G.2.g, which requires a best management practice for the control of non-sediment pollution, which includes construction debris and solid waste.*
5. There was no inlet protection on the catch basin on the north side of the building with significant dirt noted on the street. *This is a violation of Part III.G.2.d.iv. of the CGP, which requires inlet protection.*

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6. Tracking of sediment was observed from the entrance of the site onto State Route 25. *This is a violation of Part III.G.B. of the CGP, which requires erosion control practices, and Part III.G.2.g.ii, which requires that off-site vehicle tracking of sediment shall be minimized.*
7. There were no inspection reports available for review. *This is a violation of Part III.G.2.I of the CGP, which requires that following each inspection, a checklist must be completed and signed by the qualified inspection personnel representative. Part V.O.2 requires that these records be available for review.*
8. The storm water pollution prevention plan (SWP3) was not a standalone document and not complete. The SWP3 did not show the change in the size of the ponds. *This is a violation of Part III.D., which requires that the permittee shall amend the SWP3 whenever there is a change in design, construction, operation, or maintenance.*

Within 14 days of the date on this letter, please submit to this office **written notification** of 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. Please also submit the detail drawings and specifications for the post construction portion of the SWP3 and all inspection logs for the past two months with your response.

If you have any questions, you may contact me at (419) 373-3016 or by e-mail at patricia.tebbe@epa.ohio.gov.

Sincerely,



Patricia A. Tebbe, PE
Division of Surface Water

/jlm

pc: Wood County SWCD
Wood County Engineer's Office

ec: Ralph Ranck, Superintendent
Tracking