



**Environmental  
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

March 4, 2013

RE: SUM-SEIBERLING PHS 2  
3GC05686\*AG  
STORMWATER  
SUMMIT COUNTY

Mike Teodecki  
City of Akron Bureau of Engineering  
166 S, High Street  
Akron, Ohio 44308

**CERTIFIED MAIL**

Ray Kinney  
Site Manager  
Sitetech  
35700 East Royalton Road  
Grafton, Ohio 44044

Gentleman:

On February 26, 2013 this writer inspected the above referenced construction site for the purpose of determining compliance with General Construction National Pollutant Discharge Elimination System (NPDES) Permit No. 3GC05686\*AG. Below is a summary of my observations:

- 1) The site trailer was locked and Mr. Kinney was not at the site. There were three workers present at the Massillon Road entrance who were leaving for the day in the early afternoon.
- 2) The three sided box culverts have been installed and Haley's Ditch and Springfield Lake Outlet were flowing though.
- 3) There was no winter or temporary mulch put down anywhere east of Haley's Ditch and near the stream bank west of Haley's Ditch. Part III.G.2.b of the General Stormwater Permit requires any disturbed areas within 50 feet of surface water of the State and at final grade must apply permanent erosion controls within two days of reaching final grade and any other areas at final grade within seven days of reaching final grade. For any disturbed areas within 50 feet of a surface water of the State and not at final grade must be temporarily stabilized with erosion controls within two days of the recent disturbance if the area will remain idle for more than 21 days. For all construction activities, any disturbed areas that will be dormant for more than 21 days but less than one year, and not within 50 feet of a surface water of the State must be temporarily stabilized with erosion controls within seven days of the most recent disturbance within the area.
- 4) A small sediment trap has been installed west of Haley's Ditch near the downstream side of the culvert. It has been fitted with a floating skimmer and would discharge to Haley's

Ditch. This device does not appear on any Storm Water Pollution Prevention Plan (SWPPP) version present at this office. It does not connect to the berm system that was approved in the latest version of the SWPPP dated November 19, 2012.

- 5) The construction entrance off Massillon Road will soon need addition rock to help with preventing the tracking of mud onto the road.
- 6) There is a swale located west of the Massillon road entrance that diverts water to the north to a rock filter dam. This BMP is not shown on the November 19, 2012 SWPPP.
- 7) It was noted that the open trench for the geotextile on the west side of the relocated waste was conveying storm water run-off underneath the geotextile.
- 8) Detention area 3 was present and being used. A sump pump was present and could convey stormwater over to the final sedimentation basin.
- 9) The sedimentation basin had a small accumulation of water present, but was nowhere near the window for a discharge.
- 10) The water lines and sewers have been installed for the Eagle Street extension. Water lines were being flushed. This office still has not received the SWPPP for this construction site as we have requested in previous letters.

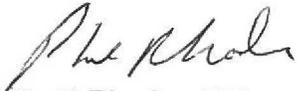
#### Action Items

- 1) Comply with Part III.G.2.b of the General Stormwater Permit.
- 2) Submit a revised SWPPP to include all revisions to the BMP's for this site and BMP's for the area east of Haley's Ditch and Springfield Lake Outlet. Please note that this request is a continuing request as stated in our October 29, 2012 letter and subsequent letters. To date we have not received a revised SWPPP with the aforementioned revisions. **This is a continuing violation of the General NPDES Permit Part III.C.3.** Submit the revised SWPPP immediately.
- 3) A SWPPP has yet to be submitted for the Eagle Street project. **Failure to submit the SWPPP when requested in writing by this office by the aforementioned date is an on-going violation of General NPDES Permit No. 3GC05426\*AG.** Submit the SWPPP immediately.
- 4) The inspection report was reviewed by this writer and deficiencies noted in our December 28, 2012 letter. A date for submitting a revised version of the form was requested no later than January 11, 2013. To date the revised report has not been submitted. We can only assume that the report has not been changed. **This is a continuing violation of the General Permit Part III.G.2.i and Part V.E.** Submit the revised inspection report and all inspection reports since December 12, 2012 immediately.

Failure to comply with the General Permit is a violation of Ohio Revised Code 6111.04 and 6111.07 subject to an enforcement action to be initiated by this office to seek monetary and civil penalties allowed under Ohio Revised Code 6111.99. We have let you know in advance that a referral was to be made to our Central Office for an enforcement action. This process is nearing completion and will happen soon.

If you should have any questions concerning any of the above, feel free to contact this writer at (330)963-1136 or by e-mail at [phil.rhodes@epa.state.oh.us](mailto:phil.rhodes@epa.state.oh.us).

Sincerely,



Philip P. Rhodes, P.E.  
Environmental Specialist II  
Division of Surface Water

PPR/cs

ec: Ray Kinney, Sitetech  
Fred Fassnacht, City of Akron  
Mike Wytrzyaszczewski, City of Akron  
Allison Giancola, Ohio EPA, Ohio EPA, DMWM, NEDO  
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