



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

March 29, 2013

RE: SUMMIT COUNTY
CITY OF STOW
PERMIT NO. 3GQ00065*BG
MUNICIPAL STORM WATER PROGRAM
INSPECTION

Sheila D. Rayman, P.E.
Assistant City Engineer
3760 Darrow Road
Stow, Ohio 44224

Dear Ms. Rayman:

Ohio EPA has completed an audit for a portion of your municipal storm water program. Our audit primarily focused on implementation of minimum control measure (MCM) #4: Construction Site Storm Water Runoff Control and MCM #5: Post-Construction Storm Water Management in New Development and Redevelopment. This program is a requirement of Ohio EPA's General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewers Systems (MS4s) OHQ000002 and Ohio Administrative Code 3745-39.

On January 29th and 30th of 2013, Ohio EPA met with you and other representatives of the City of Stow to determine compliance with the NPDES permit and the Storm Water Management Plan (SWMP) submitted by the City in March 2003. In performing this audit, Ohio EPA implemented a modified version of the Municipal Storm Water Program Evaluation Guide developed by the United States Environmental Protection Agency.

Attached are the Municipal Storm Water Program Evaluation, File Review, and Field Inspection Worksheets completed for your community. Please review these documents in detail to determine specific elements where your construction and post-construction programs need improvement. In addition, you will find comments suggesting ways to improve your MS4 program. The following is a summary of our audit findings:

Violations

- **Failure to pass an illicit discharge ordinance.** This is a violation of Part III.B.3.d of the Ohio EPA General Storm Water NPDES permit #OHQ000002 and was noted in the 2012 Annual Report Review. The City provided us with an unsigned copy of Chapter 935: Illicit Discharge and Illegal Connection Control which was passed in October 2012. *Please provide Ohio EPA with a signed copy.*
- **Failure to develop a program to ensure adequate long-term operation and maintenance (O&M) of post-construction best management practices (BMPs).** This is a violation of Part III.B.5.d and Part III.B.5.f of the Ohio EPA General Storm Water NPDES permit # OHQ000002. The City must develop a program to ensure the long-term maintenance of all publicly-owned post-construction BMPs and those privately-owned

post-construction BMPs within developments that obtained NPDES permits on or after April 21, 2003. Ohio EPA recommends that each facility be inspected at least once a year by either the City or the party responsible for long-term maintenance. In addition, the City is required to conduct an "as-built" inspection of all post-construction BMPs to verify. ***Please provide Ohio EPA with a timeframe for which post-construction long-term maintenance processes and procedures will be finalized, as well as a copy of it once the program is finalized.***

- **Failure to submit a Notice of Termination (NOT) within 45 days of reaching final stabilization on municipal construction projects.** This is a violation of Part IV.A of the Ohio EPA General Storm Water NPDES permit #OHC000003. Our records show that the City of Stow has an active permit under Ohio EPA General Storm Water NPDES Permit for Construction Activities at three municipal sites which during the interview were said to have been completed and have reached final stabilization. ***Please submit an NOT for the following projects immediately.***
 - Ritchie Road Detention Basin, #3GC05540*AG
 - Allen & McCauley Rd Sanitary Sewer, #3GC03144*AG – NOT filed 2/26/13
 - Seasons Road Pump Station & Seasons Rd, #3GC03145*AG– NOT filed 2/26/13
- **Failure to document and keep record of construction site inspection findings for private and municipal construction projects.** This is a violation of Part III.B.4.a. of the Ohio EPA General Storm Water NPDES permit #OHQ000002. During the file review, Ohio EPA noted adequate documentation of inspection findings or follow up reports were lacking for sites reviewed. It is required that inspectors document inspection findings and compliance issues such that proper proof is available when enforcement escalation is necessary to see corrective actions take place. Ohio EPA suggests that the inspectors develop a form that could be used during the inspection and then ***left with the contractor*** for written notification of violations or deficiencies. Ohio EPA provides an example checklist on their website for use by inspectors during their site inspections (both during construction and post-construction) which should be adopted as a common practice by the City of Stow in the future. ***Please provide Ohio EPA (in detail) with the process, which the City wishes to develop in order to remain compliant with this requirement.***
- **Failure to ensure the implementation of post-construction best management practices on all new construction and redevelopment projects that disturb one or more acres (including those less than one acre that are part of a larger common plan of development or sale).** This is a violation of Part III.B.5.a of the NPDES permit. ***The City must ensure that all NPDES permit requirements are met during the plan review process. The City must look into the projects that encompass the Courthouse Blvd area and confirm that a post-construction BMP has been implemented to meet NPDES permit requirements. If BMPs have not been installed a retrofit must be implemented.***
- **Failure to conduct post-construction plan reviews.** The City does not conduct the review or have a current MOU with third party for this review, a violation of Part III.B.5.a of the NPDES permit. Summit SWCD does only a cursory review of design calculations for water quality BMPs.

- **Failure to escalate enforcement to achieve compliance with the local construction site ordinance.** This is a violation of Part III.B.4.a.vi of the Ohio EPA General Storm Water NPDES permit # OHQ000002. Our file review and interview revealed that the City is deficient in written Notices of Violation under City of Stow letterhead for non-compliance with Chapter 933.13 of the municipal code. Stop work orders or court actions as permitted by Chapter 933 are rarely implemented. The City must develop an enforcement escalation protocol so as to provide inspectors, the City Engineer, Service Director and others with a clear policy on when to take enforcement to the next level and how that is to be achieved. The City also needs to ensure written inspection reports are sent to the legal entity which holds NPDES permit-coverage and the entity responsible for most of the earth disturbance and installation and maintenance of erosion and sediment controls. As discussed, letters from the SWCD are not considered NOV's unless the community's ordinance specifically gives the SWCD enforcement authority. The SWCD is simply notifying the community that there are compliance issues on the site, but they have no inherent enforcement authority in a municipality. If the City wishes to continue using the SWCD for inspections, one option would be for the City to attach a cover letter in Stow letterhead summarizing the key violations and deficiencies found during the inspection and a time frame in which the work must be completed.

Ohio EPA recommends that the community formalize their enforcement escalation procedure within the local code or in a stand-alone document, which clearly identifies when enforcement must be escalated, what the penalties are at each level, and who is responsible for each step.

Deficiencies

- Although the City code does not explicitly prohibit low-impact development and green infrastructure, there is little in the code to incentivize it or make it the standard requirement. Post-construction storm water management, land use planning and building and zoning codes must be linked to create a meaningful storm water program. A good MS4 program goes beyond the WQv requirement. The storm water program manager must work with other departments to affect development patterns in their community that negatively impact storm water quality. Consider adding a runoff reduction requirement to the post-construction ordinance or allow a reduction in the size of storm water management structures if LID is used. Planning and zoning codes should be reviewed to encourage smart growth principles in compact neighborhoods or mixed-use development such as walkable neighborhoods, vertical development, and infill development along corridors served by public transportation, as well as allowing the use of meadow grass or low-maintenance vegetation, where appropriate. The City should also look into updating their parking codes to reduce the amount of impervious surfaces created by current parking requirements. Permeable pavement is a key tool to reducing impervious area and should be more broadly promoted.
- The City has not established standards for post-construction BMP selection and design for small construction activities (i.e., where the larger common plan of development or sale disturbs < 5 acres), but should consider doing so to minimize arguments and negotiations on what constitutes an acceptable BMP. Although Ohio EPA does require post-construction BMPs on small construction sites, the requirements are not prescriptive. Thus, reliance on Ohio EPA requirements for small construction sites may not lead to the types of BMPs the City would prefer to see. Discussed setting a minimum orifice size on WQv ponds to push bioretention.

- The City's storm water public education and outreach program should include more than one mechanism and target at least five different storm water themes over the permit term. At least one of the themes should *target the development community*, as required by Part III.B.1.c of the NPDES permit. ***This is a reminder that this requirement must be met no later than January 29, 2014.***
- The City has not yet completed mapping all publicly-owned post-construction BMPs and those privately-owned post-construction BMPs approved after April 21, 2003. Per Part III.B.5.d of the NPDES permit, the City is obligated to ensure long-term operation and maintenance (O&M) of these post-construction practices. Part III.B.3.b of the NPDES permit requires these practices to be mapped within five years of coverage. Once developed, procedures need to be adopted to keep the map current. This map will form the basis of an inventory of post-construction BMPs installed in the City. ***This is a reminder that your map must be completed by June 17, 2014. Please refer to NPDES Permit #OHQ000002 for additional mapping requirements.***
- During the interview, it was observed that the City has been responsible for inspecting some of their own municipal projects that were designed in house. *Ohio EPA recommends that in order to avoid a conflict of interest, the firm, or department that designed the Storm Water Pollution Prevention Plan (SWP3) for a site should not also inspect that site for compliance.*
- Ohio EPA recommends that if a reference to "Ohio EPA Standards" is included as part of the City's own standards that the language be updated to include ***"most current"*** to ensure that outdated standards for BMP selection criteria are not in use.
- The City currently does not have any sort of database to track active construction sites or post construction BMPs within the City. It is recommended that a database be established to track information such as project status, history of complaints, previous compliance issues, and NPDES Permit #s for active sites, as well as a list of routine and non-routine maintenance tasks and the frequency of their performance, a map identifying the types and locations of post construction BMPs and their maintenance or access easements, and any type of deed restriction or covenant required to maintain post construction BMPs in perpetuity for easy access by inspecting staff and use as a basis of their inspections. ***This is a reminder that all City-owned post-construction BMPs as well as any privately owned post-construction BMP constructed after April 21, 2003 must be included in your inventory.***
- Summit SWCD maintains the majority of records associated with the City of Stow construction and post-construction programs. We recommend that the City maintain a set of these records in the Engineering or Service Department, as appropriate. Although there is a Memorandum of Understanding between the City and Summit SWCD, this arrangement could be terminated at any time and the City may not have access to the records in the future. This also provides a back-up in case Summit SWCD or the City loses records due to computer failure or catastrophic losses. This is particularly important for long-term maintenance plans for post-construction BMPs.
- The City has not fully developed their program to ensure adequate long-term operation and maintenance of privately owned post-construction BMPs. Developers are required to enter Long-Term Maintenance agreements as part of approving the SWP3. The City has not taken much of a stand on enforcement for post-construction compliance issues

and could use improvement in this field. In addition, the City must ensure that a system is in place to keep long-term maintenance plans attached to a property as ownership changes. This component is essential to ensuring adequate long-term operation and maintenance (O&M) of post-construction Best Management Practices (BMPs). Long-term O&M plans are to be stand-alone documents and should not just be included within the set of construction drawings.

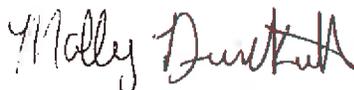
- Performance standards established under Part III.B.4.c of the NPDES permit require the City to inspect all construction sites where 1 or more acres of land are disturbed. These sites must be inspected when construction begins and at least monthly thereafter as long as the project is active. In order to ensure that this performance standard is met, Ohio EPA strongly recommends the City maintain their own list of active construction sites and regularly compare this list with the SWCD database to ensure all projects are approved and are being inspected. **Discussed need to add "larger common plan language" to the City's ordinances.**
- The City has not been verifying the submission of the Individual Lot Notice of Intent (NOI) as part of the plan review process. It is very important that NOI's are submitted while individual lots are being built since it is very common that the subdivision's NOI does not cover this activity (since typically individual lots are sold to other developers after the subdivision in its entirety is completed). ***Although an individual lot might typically disturb less than an acre of land, it is part of a larger common plan of development or sale, and thus requires NPDES permit coverage. Please ensure that the submission of an individual lot NOI to the Ohio EPA is verified while reviewing applicable plans in the future.***
- During the file review of the Stillwood Subdivision project, Summit SWCD inspection letters noted major sediment and erosion control compliance issues. The sediment basin had not been installed three months into the start of the project. Sediment settling ponds should be installed prior to grading and within seven days from the start of grubbing.
- The City and Summit SWCD must ensure they are utilizing current BMP design standards when conducting plan reviews. Our field inspections and file reviews revealed that outdated specifications were used in the Stillwood Subdivision sediment basin. The design approved in 2006 was a downturned elbow attached to the permanent outlet structure at elevation 1105.50 with a single 3" diameter at elevation 1104.50. These elevations and orifice sizes do not correspond with the elevation and orifice size on the attached Temporary Sediment Basin Calculations sheet (dewatering elevation at 1102.20 and 3.5" diameter required). The City and Summit SWCD should encourage the use of a skimmer device (as SWCD noted in the inspection report dated February 1, 2013).
- At the time of our interview, our records showed that the City of Stow had 42 active projects permitted under the Ohio EPA General Storm Water NPDES Permit for Construction Activities. During the interview it was indicated that approximately 25 of these sites may have been completed. The City should consider notifying the permit holder that a Notice of Termination (NOT) must be filed during the final site inspection.
- The City did not provide sample contract language for active public projects not developed or inspected in-house. Contracts with third party planners and engineers should include language that specifies that sediment and erosion control and post-

construction storm water BMPs must be incorporated into the design. In addition, if third party inspectors are to be used, language to ensure minimum inspection, maintenance, and reporting requirements should be specified in the contract.

Please review my comments, as well as the attached interview, file review and field review and provide me with a letter of response indicating the actions you will take to address my concerns. **Your response should be received no later than April 30, 2013.** Please note that this response does not replace the requirement to submit an Annual Report. Your annual report for 2012 will be due on April 1, 2013.

If you have any questions, please contact me via email at molly.drinkuth@epa.ohio.gov or at (330) 963-1215.

Sincerely,



Molly Drinkuth
Environmental Engineer
Division of Surface Water

MD/cs

cc: James D. McCleary, P.E., P.S., City Engineer
Peter Bell, Engineer, City of Stow
Sara Drew, Mayor, City of Stow
Michael Miller, Director of Public Service, City of Stow
Rob Kurtz, Planning Director, City of Stow
Cindy Fink, District Administrator, Summit SWCD

Municipal Storm Water Program Evaluation

Construction and Post-Construction Component Worksheet

Date of Evaluation	January 29, 2013
Evaluator Name, Title	Dan Bogoevski, DSW, NEDO Molly Drinkuth, DSW, NEDO
MS4 Permittee	City of Stow Summit County & Others #3GQ00065*BG

Instructions: Use this worksheet as a guide for questioning MS4 staff and reviewing applicable documents. Keep in mind that additional questions may be necessary based on local regulations, MS4 permit requirements, implementation strategies, or water quality issues. Remember to obtain copies of any applicable documents or files which may assist in writing the MS4 evaluation report.

Staff Interviewed		
Name	Department/Agency	Phone Number/Email
Peter Bell Consultant Engineer	Building & Engineering City of Stow	(330) 689.2714 pbell@stow.oh.us
Sheila D. Rayman, P.E. Assistant City Engineer	Building & Engineering City of Stow	(330) 689.2710 srayman@stow.oh.us
Cindy Fink District Administrator	Summit SWCD	(330) 929.2871 cfink@summitswcd.org
Rob Kurtz Planning Director	Planning & Zoning City of Stow	(330)689-2819

Ordinance/Legal Authority	
Interview Questions	Response
Construction Ordinance	
Ordinance used to require storm water BMPs at construction sites?	YES
Name and/or code section(s)	Chapter 933: Erosion and Sediment Control and Post Construction Storm Water Quality
Date initially enacted:	January 24, 2008
Threshold for coverage (e.g., 1 acre, 100 cubic yards, etc.)	933.05: SWP3 required if parcel size is one or more acre. 933.06(e) states sublots less than 1 acre within subdivision need to comply with code as well.
NOTE: 1 acre is minimum requirement.	Discussed need to add "larger common plan" language to ordinance.

Ordinance/Legal Authority	
Interview Questions	Response
Exclusions from coverage allowed:	Agricultural Sediment Pollution Abatement Rules Section 933.01(d). See Note #2 on Page 10.
Does your construction program include the following types of construction activity:	
Single-family residential?	YES
Multi-family residential?	YES
Commercial development?	YES
Institutional development (schools or government facilities)?	YES
Mixed-use development?	YES
Non-subdivided development?	YES
Non-exempt construction on agriculturally-zoned lands? (barn on a farm)	YES
Non-silvicultural tree clearing?	Process may need to be improved within the City to ensure this part of ordinance is enforced.
Your own municipal construction projects?	YES
Construction and demolition debris landfills?	YES
Construction by other public entities within your political jurisdiction, e.g., a county road project within a municipality?	NO – See Note #3 on Page 10.
Earth disturbance associated with open spaces and parks (e.g., trails within a park or parking lot improvements at a park)?	YES
Private pond construction?	YES
Construction of wind or solar panel farms?	YES
	Process may need to be improved within the

Ordinance/Legal Authority	
Interview Questions	Response
<p>Establishment of borrow or spoil areas that service multiple, unrelated construction projects?</p> <p>Utility construction projects (including tree clearing along utility corridors or pipeline projects that cross multiple political jurisdictions)?</p>	<p>City to ensure this part of ordinance is enforced.</p>
<p>Does ordinance regulate the discharge of pollutants other than sediments on a construction sites (e.g., construction wastes, fuel tanks, cement truck washwater, trash, chemicals, etc.)?</p>	<p>YES</p> <p>Section 933.09(c)(1)E</p>
<p>Has ordinance been updated to reflect minimum requirements of Ohio EPA NPDES permit #OHC000003?</p> <p>Date of updates?</p> <p>Date of MS4 Permit Renewal:</p>	<p>YES</p> <p>Did not require updating because it was passed to reference the current CGP. See Section 933.07(a).</p> <p>June 17, 2009</p>
Post-Construction Ordinances	
<p>Ordinances used to require post-construction storm water BMPs on new development or redevelopment projects:</p> <p>Treatment of Water Quality Volume (WQv) Name and code section:</p> <p>Date initially enacted:</p> <p>Has this ordinance been updated to reflect the minimum requirements of Ohio EPA General Permit #OHC000003?</p> <p>Date of update:</p> <p>Riparian and Wetland Setback Ordinance Name and code section:</p> <p>If YES, does ordinance require protection</p>	<p>YES</p> <p>933.07(a) and 933.09 (c)(2)</p> <p>January 24, 2008</p> <p>YES</p> <p>Did not need to be updated. Section 933.07(a) references the most recent Ohio EPA NPDES General Construction Permit. May want to add language to 933.09(c)(2) section as well.</p> <p>YES, but only within Mud Brook watershed. This covers 2/3rd of the City by area. Section 1155</p> <p>YES</p> <p>Can remove damaged or diseased trees. Revegetation is allowed without approval if use</p>

Ordinance/Legal Authority	
Interview Questions	Response
<p>of native vegetation within riparian area or can manicured lawns be established?</p> <p>If YES, does ordinance allow the location of storm water infrastructure within the riparian setback?</p> <p>Runoff Reduction (e.g., infiltration or mitigation of a recharge volume)? Name and code section:</p> <p>BMPs designed to control temperature for discharges to cold water habitat streams? Name and code section:</p> <p>Encouraging Green Infrastructure or low-impact development practices:</p> <p>Allow downspout disconnection and use of open storm water conveyance systems? Names and code sections:</p> <p>Permit the installation of rain gardens and other bioretention facilities? Names and code section:</p> <p>Allow rainwater harvesting (rain barrels and cisterns)? Name and code section:</p> <p>Allow or require the use of pervious pavement systems? Name and code section:</p> <p>Allow reduction in the size of traditional storm</p>	<p>the native species list provided by the arborist.</p> <p>YES As long as BMPs treat WQv. Must remain at least 50' from the ordinary high water mark of stream. Section 1155.07(3).</p> <p>NO Storm water utility can be reduced if runoff reduction practices are implemented. Section 927.10: Credits.</p> <p>N/A</p> <p>YES through utility fee credits</p> <p>YES Code does not prohibit downspout disconnection or require piped conveyance systems</p> <p>YES Have been installed before. Not restricted, but not encouraged. <i>Would like to see a minimum orifice size on WQv ponds to push bioretention.</i></p> <p>YES Nothing to encourage, but would not disallow if proposed. None installed so far.</p> <p>YES Nothing to encourage, but would not disallow if proposed. Not sure if they have any in City yet. <i>Ohio EPA recommends that the local code be updated to explicitly allow and encourage the use of permeable pavements in the community.</i></p> <p>NO Not in code, but may consider during the review process.</p> <p>YES</p>

Ordinance/Legal Authority	
Interview Questions	Response
<p>water management structures if LID used? Name and code section:</p> <p>Provide a credit to a storm water utility fee if LID is used? Describe:</p> <p>Balanced Growth Principles, i.e., other non-structural ordinances or codes that promote better site design:</p> <p>Allow conservation design as a subdivision layout (retain ≥ 40% open space by maintaining existing zoned density) Standard or variance required? Name and code section:</p> <p>Encourage the use of vegetation that requires little to no maintenance in common areas (e.g., meadow vegetation vs. mowed lawn) Name and code section:</p> <p>Reduce impervious area created by commercial parking lots (e.g., update codes so that they are context-specific, allow shared parking, landbanked parking, parking garages rather than surface lots, etc.) Name of code section</p> <p>Allow sidewalks on only one side of the</p>	<p>Is allowed, but not sure if any has been given. Maximum 50% reduction. Section 927.10. Discussed adding WQ message on utility bill.</p> <p>NO Nothing in zoning code.</p> <p>NO The City does allow Planned Residential Development, Chapter 1153, which must devote a minimum of 35% of the total area to open space. Ohio EPA recommends that City officials not only allow conservative design but also encourage it.</p> <p>SOME Allowed at Akron General facility, but nothing in code requires it. City has a code that prohibits grass over a certain height (8") - Chapter 523: Nuisance Abatement Code. Ohio EPA recommends that Chapter 523 be updated and that benefits of low-maintenance grasses be a topic for public education program to change perceptions.</p> <p>SOME – could use improvement Chapter 1181: Off-Street Parking and Loading Minimum 5% of parking lot area must be landscaped islands of at least 10-foot width (1181.10) in any lot designed for 20+ vehicles, except for District I-2. No maximum parking requirements. Still have minimums. Do allow shared parking (1181.04(a)). Did reduce parking lot space requirements for some uses in the past few years. Restaurants (with counter service) reduced 1 space per 100 SF from 1 space per 50 SF. If multi-tenant, 1 space for 250 SF (1181.03). Allow deferred parking – reserved area if needed in future. Up to 50% landbanking allowed. 1181.04(b)</p> <p>NO Sidewalks are required on both sides of a residential neighborhood, Section 1123.03(c). Ohio EPA recommends that the storm water</p>

Ordinance/Legal Authority	
Interview Questions	Response
<p>road in residential neighborhoods Name and code section:</p> <p>Zoning that encourages smart growth in compact neighborhoods or mixed-use development:</p> <p>If YES, does zoning create walkable neighborhoods with access to commercial areas and employment centers? Describe:</p> <p>If YES, does this zoning provide incentives for vertical development rather than horizontal sprawl? Describe:</p> <p>If YES, does this zoning encourage a range of housing options for people of various incomes? Describe how:</p> <p>If YES, do you provide incentives for infill development or development in the core? Describe incentive programs:</p> <p>If YES, does zoning direct growth in areas</p>	<p><i>program manager work with the planning and building departments to revise development patterns that negatively impact storm water quality.</i></p> <p>YES Stow-Kent Overlay District (Chapter 1159), C-7 Office/Multi-Family District (Chapters 1145, 1171), and R-B Residential Business District (Chapter 1143.10) allow some mixed use development.</p> <p>YES The Stow-Kent Overlay District is the only district that allows commercial uses and residential uses on the same property. The C-7 Office/Multi-Family District provides conditional use of multi-family dwellings in a planned development of building and amenities on parcels of five or more acres primarily along the SR8 corridor (Steels Corner). The R-B Residential Business District provides small office and business uses in select residential areas.</p> <p>SOME The Stow-Kent Overlay District has no height maximum, 1159.06(d). District C-7 has a height maximum of 35' per Section 1145.08 yet Section 1171.05(f) sets a conditional maximum height of 60' for dwellings in C-7. R-B District sets 35' as a height maximum in Section 1143.06.</p> <p>YES Stow-Kent overlay does provide for various types of housing: multi-family dwellings, apartment building dwellings and townhouse dwellings</p> <p>NO Nothing within the code, but could be considered.</p> <p>NO Nothing to direct along any particular corridor,</p>

Ordinance/Legal Authority	
Interview Questions	Response
where there are a variety of transportation choices (walking, biking, public transportation vs. just the car)? Describe how:	but Stow-Kent overlay area has bus lines from both Summit and Portage Counties
Provisions within Ordinances	
Do permit or plan approvals have to be issued before construction activities that disturb 1 or more acre can commence?	Approval of SWP3 serves as a permit to commence soil disturbing activities following a pre-construction meeting as per Section 933.06(b). This is required before construction can commence and Section 933.06(a)(3) states all plans must be submitted at least 30 days prior to start.
Plan Approvals Construction	
Post-Construction	YES 933.09(a)
Permits & Type (Building, Grading, etc.) Construction	YES 933.07(a)
Post-Construction	YES
Does your definition of "construction activities" include any grading, grubbing, filling, clearing or excavating activity?	YES Ordinance uses the term "soil disturbing activities" but it does cover these activities.
Are plans for storm water controls used during construction submitted separately from plans that depict post-construction BMPs?	NO All within SWP3, Section 933.07(a)
Describe the submission process and the timing of plan submission:	Two sets of SWP3 are submitted to City Engineering Department and two sets to Summit SWCD. Plans must be submitted a minimum of 30 days before plan to start construction. Cannot start construction without the approval of the SWP3 and a pre-construction meeting. SWP3 approval serves as permit to commence soil disturbing activities.

Ordinance/Legal Authority	
Interview Questions	Response
<p>Does your ordinance explicitly specify selection criteria or minimum acceptable BMP design?</p> <p>Construction Post-Construction</p> <p>If NO, are these standards referenced?</p> <p>Construction Post-Construction</p> <p>If YES, list references:</p> <p>Construction Post-Construction</p>	<p>NO NO</p> <p>YES YES</p> <p>SWP3 consistent with the requirements of the most recent Ohio EPA NPDES General Construction Permit and reference <i>Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection, Section 933.07(a)(c)</i></p>
CONSTRUCTION SITE ENFORCEMENT AUTHORITY	
<p>Types of enforcement mechanisms available for construction site issues per your ordinance:</p>	<p>Notices of Violations (NOV) YES Administrative fines YES Stop-work orders YES Civil penalties YES Criminal penalties NO Other (Describe): Injunction – would allow City to go in and fix issue and charge developer</p> <p>Inspector is to report to City Storm Water Administrator if there are issues of significance. City Storm Water Administrator is to issue an NOV.</p> <p>Section 933.13 provides 30 days to correct, requires a re-inspection, and 15 more days if not corrected. If still not in compliance, will issue a stop work order with approval from law department. After stop work order is issued, work with prosecutor to pursue administrative fines or civil penalties. However, City does not have authority to do stop work order on a public construction project. Code gives Summit SWCD the authority to issue a "status report." Discussed shortening correction period to 15 days and charging small fine if not corrected.</p>
<p>Which type of enforcement action have you most commonly implemented?</p>	<p>None have been used to date. However, there was a threat of injunction on a spoil area site</p>

Ordinance/Legal Authority	
Interview Questions	Response
	requiring property owner to remove soil and materials dumped on property.
<p>Describe the enforcement mechanism used when the following compliance situations are encountered on construction sites:</p> <ol style="list-style-type: none"> 1. Construction has commenced without a permit or plan approval 2. A BMP indicated on the SWP3 has not been installed or requires maintenance (first incidence) 3. A BMP is required but not shown on the SWP3 4. A BMP has not been installed or maintained despite prior notification from the MS4 (repeated incidences) 5. If using a third party inspection service provider, e.g., the SWCD, MS4 receives inspection report indicating repeated non-compliance issue 	<p>Summit SWCD would contact City to issue NOV. City shall issue an immediate Stop Work Order per Section 933.13(b).</p> <p>Summit SWCD would speak to onsite representative and send out written notice, "status report" which serves as a warning. City is copied on notice.</p> <p>Summit SWCD would speak to onsite representative and send out written notice. City and project engineer are copied on notice.</p> <p>City and SWCD have not really worked out a system here, but recommended that Summit SWCD give report to City and City will send "official" NOV. Per code, City has to give developer 30 days to correct, provide a second NOV and then 15 more days to correct. If still no correction, then Stop Work Order, Administrative Fines or Civil Penalties as allowed by code. Discussed revising code to shorten correction period.</p> <p>City will send NOV on City letterhead. SWCD does not have the authority to send out NOV.</p>
<p>Describe the last enforcement action your community has taken against a contractor or developer for non-compliance with construction site requirements and provide the documentation to demonstrate the action.</p>	<p>NONE TAKEN TO DATE</p> <p>Keenan property (spoil site) was threatened with injunction. Summit SWCD said that there should be documentation about the project, but City does not know where it is.</p>
<p>Have your enforcement protocols and procedures for construction site issues been formalized in a written enforcement escalation plan?</p>	<p>NO</p> <p>Have a draft protocol that they will formalize.</p>
POST-CONSTRUCTION ENFORCEMENT	

Ordinance/Legal Authority	
Interview Questions	Response
AUTHORITY	
Types of enforcement mechanisms available for post-construction site issues per your ordinance:	Notices of Violations (NOV) YES Administrative fines YES Stop-work orders YES Civil penalties YES Criminal penalties NO Other (Describe): Injunction
Which type of enforcement action have you most commonly implemented?	NONE. There was an issue with the Besso project's post-construction BMP choice, but ultimately, Summit SWCD approved what was installed. Felt they did not have guidance or authority to require something different and better.
Describe the enforcement mechanism used when the following compliance situations are encountered regarding post-construction: <ol style="list-style-type: none"> The post-construction BMP has been installed too early in the construction process (e.g., the permanent WQv outlet has been installed when the sediment control outlet is still required, or the bioretention soil has been placed prior to upland areas being stabilized) The post-construction BMP has not been maintained (first incident) The post-construction BMP has not been maintained after multiple notifications A homeowner has cut down trees in the riparian setback area (if applicable) 	<p>Summit SWCD provides written notification. If not corrected, would escalate with the City.</p> <p>NOTE: SWCD does not have the authority in the City's ordinances to issue NOV's; therefore any letter from Summit SWCD is simply a notification that there are compliance issues on site.</p> <p>No long-term maintenance inspections are currently being conducted by either the City or Summit SWCD. City does inspect all ponds once per year, but has not incorporated WQv inspection or expand BMP inspection to include non-pond water quality practices. VIOLATION: City does not have a program to ensure long-term maintenance of post-construction BMPs.</p> <p>Same as response above. No program in place.</p> <p>Zoning Inspector is to issue a Notice of Violation. However, Engineering Department does not know if the inspector enforces the code.</p>

Ordinance/Legal Authority		
Interview Questions	Response	
5. A homeowner has installed a shed in a vegetated filter strip disrupting sheet flow runoff	No program in place. Need to coordinate with building department to come up with something here. Possible easement area for post-construction.	
Describe the last enforcement action your community has taken against a contractor or developer for non-compliance with post-construction site requirements and provide the documentation to demonstrate the action.	NONE TAKEN	
Have your enforcement protocols and procedures for post-construction issues been formalized in a written enforcement escalation plan?	NO <i>Ohio EPA recommends that a formalized written enforcement escalation plan is developed that can be applied to both construction and post-construction non-compliance issues.</i>	
Applicable Documents	Reviewed	Obtained
Sediment and Erosion Control Ordinance	YES	YES
Post-Construction Storm Water BMP Ordinances(s)	YES	YES
Enforcement escalation plan or procedures Construction: Post-Construction:	DOES NOT EXIST	DRAFT

Notes
<p>1) DID CITY PASS AN ILLICIT DISCHARGE ORDINANCE? Noted as violation in Annual Report Review 2012. Promised to do so by end of 2012. Chapter 935: Illicit Discharge and Illegal Connection Control was passed in October 2012. City only provided us with an unsigned copy. Must provide Ohio EPA with a signed copy.</p> <p>2) To align with NPDES permit program, the only exclusions allowed are (a) if rainfall erosivity factor, R, is < 5 for the project, (b) construction is "routine maintenance" to re-establish the original line, grade or hydraulic capacity of storm water infrastructure, i.e., ditch cleaning and detention basin dredging, where < 5 acres is disturbed, (c) silvicultural disturbances, (d) agricultural disturbances or (e) construction related to oil & gas well exploration.</p> <p>3) Construction must be regulated if it doesn't meet one of the exclusions and the larger common plan of development or sale disturbs 1 or more acre of land. There has been some debate about the authority that an MS4 operator has over another public entity, e.g., a municipality over ODOT. If the other public entity is a regulated MS4, they should have their own set of BMP standards and plan review processes for construction activity and will also be audited at some point. However, it is Ohio EPA's opinion that municipalities have the authority to impose their construction programs on other</p>

public entities if they choose. Townships and Counties may not have this same authority. Section 307.79 of the ORC gives authority over BMP standards for ODOT projects to the Chief of the Division of Soil & Water Conservation of ODNR and prohibits townships and counties from charging fees to ODOT.

Construction Project Inventory																												
Interview Question	Response																											
<p>Do you keep an inventory of construction projects that are actively occurring in your community? If YES, how?</p> <p>Do you track construction projects <1 acre (e.g., individual lot within a subdivision or small addition to a business)?</p>	<p>NO Rely on Summit SWCD to know what sites are active. Not all plans are submitted to Summit SWCD – primarily public projects for roads or sewers. Suggested routing list to ensure distribution of plans.</p> <p>NO</p>																											
<p>How often is your inventory of construction projects updated?</p>	<p>N/A – No inventory.</p>																											
<p>Information tracked:</p>	<table border="0"> <tr> <td>Project status</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Inspection Findings</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Enforcement Actions</td> <td></td> <td>YES</td> </tr> <tr> <td>NO</td> <td></td> <td></td> </tr> <tr> <td>Complaints</td> <td></td> <td>YES</td> </tr> <tr> <td>NO</td> <td></td> <td></td> </tr> <tr> <td>NOI submittal</td> <td></td> <td>YES</td> </tr> <tr> <td>NO</td> <td></td> <td></td> </tr> <tr> <td>Other: _____</td> <td></td> <td></td> </tr> </table> <p>N/A – Summit SWCD does track project status, inspection findings, enforcement actions, complaints and NOI submittal using the Urban Site Program. Summit SWCD offers this service to all their communities for a fee, but City of Stow does not purchase this service.</p>	Project status	YES	NO	Inspection Findings	YES	NO	Enforcement Actions		YES	NO			Complaints		YES	NO			NOI submittal		YES	NO			Other: _____		
Project status	YES	NO																										
Inspection Findings	YES	NO																										
Enforcement Actions		YES																										
NO																												
Complaints		YES																										
NO																												
NOI submittal		YES																										
NO																												
Other: _____																												
<p>Are site inspections at active construction sites conducted at a frequency of at least once per month?</p> <p>If construction sites are not inspected at least once per month, how do you prioritize or determine inspection frequency?</p> <p>Criteria used:</p> <p>Is this inspection criteria and frequency explicitly</p>	<p>YES Summit County & Others SWMP says twice a month, but looking to modify the SWMP to drop it back to once per month. See Note #1 on Page 12.</p> <p>N/A</p> <table border="0"> <tr> <td>Proximity to water body</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Water body impairment</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Size of project</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Slope of project site</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Other: _____</td> <td></td> <td></td> </tr> </table> <p>YES SWMP states twice per month. Summit SWCD states that they are inspecting sites</p>	Proximity to water body	YES	NO	Water body impairment	YES	NO	Size of project	YES	NO	Slope of project site	YES	NO	Other: _____														
Proximity to water body	YES	NO																										
Water body impairment	YES	NO																										
Size of project	YES	NO																										
Slope of project site	YES	NO																										
Other: _____																												

<p>stated in your SWMP?</p>	<p>within the City of Stow twice per month. SWMP and MOU would need to be updated to decrease frequency to the minimum 1/mo.</p>
<p>Number of active construction sites on date of interview (for subdivisions where only individual lot construction is occurring, count the entire subdivision or phase of subdivision as one site):</p> <p>NOTE: <i>Select two sites from NOI list and ask if they are active. Ask for the dates of the last two site inspections at each site.</i></p>	<p>SWCD/City has 3 active construction sites. Review of Ohio EPA NOI list shows 5 active. Several not started or not sure of status.</p> <p>Site #1: Flex Building Site 3GC02448*AG Most recent inspection date: April 8, 2010 Prior inspection date: December 3, 2009</p> <p>State that site is idle with no construction in several years. Discussed revising SWMP and MOU to include a provision to reduce the required inspection frequency of idle sites.</p> <p>Site #2: Stillwood Subdivision Most recent inspection date: Jan 16, 2013 Prior inspection date: June 8, 2011</p> <p>State that Phase 1 was completed in 2011 and Phase 3 started in November 2012. The SWP3 for Phase 3 was developed in 2012, thus NOI submitted in 2007 for the entire subdivision (15 acres) does not appear to be valid. Reviewed SWP3 for Phase 1 and it does not show the road improvements associated with Phase 3. The roadway stops at end of Phase 1 and continues only as a trail. Does show storm water sewer and basin infrastructure, but is not a complete SWP3 for the construction activity they are doing now for Phase 3. Developer should have been instructed to submit a new NOI when they submitted the SWP3 for Phase 3 to Summit SWCD.</p> <p>Summit SWCD states they did inspect once per month, but did not generate letter. They say there is a notation in the USP program they use. See Note #1 on Page 12.</p>

Applicable Documents	Reviewed	Obtained
List of active construction projects	YES	YES
List of projects covered under a state/EPA general permit	YES	YES

Notes
1) No formal documentation of monthly inspection findings exists. This is a violation of Part III.B.4. of the NPDES Permit #OHQ000002 for Small MS4 operators. Currently a written notice is only sent if the inspector deems that a site is non-compliant. In order to be documented, written notice of every inspection must be made.

Post-Construction BMP Inventory		
Interview Question	Response	
Are post-construction BMPs tracked?	NO Do inspect detention and retention basins annually, but no inventory of post-construction water quality BMPs per se. Have GPS location of outlet structure, but don't know if it is dry extended detention basin, bioretention, etc. Reminded City of mapping requirement.	
Does this include all types of BMPs, e.g., riparian setback area, green roof or pervious pavement as well as bioretention cells and extended detention ponds?	NO	
Information tracked: N/A since they do not track anything yet. Did recommend their system track these items and include a map showing location and type of BMP.	Location N/A Type N/A Maintenance Requirements N/A Inspection findings N/A Other (e.g., Ownership):	
Database used?	N/A since do not track. Need to develop a system.	
Number of private post-construction structural BMPs installed in community	City does not know since they don't have an inventory system, but Summit SWCD has a list that would include things since 2009 and could provide an estimate.	
Applicable Documents	Reviewed	Obtained
Inventory of Post-Construction BMPs	Does not exist	

Construction and Post-Construction BMP Standards

Interview Questions	Response		
CONSTRUCTION BMPs			
Do your erosion and sediment control standards include BMP selection criteria?	YES <i>Rainwater and Land Development</i>		
Do your construction site standards account for different needs for different times of the year (e.g., growing season vs. winter)? Please elaborate:	YES		
Do your standards include operation and maintenance requirements?	YES – See Note #1 on Page 14		
POST-CONSTRUCTION BMPs			
Do your post-construction standards include BMP selection criteria?	YES		
Has your community established standards for post-construction BMP selection and design for small construction activities (i.e., where the larger common plan of development or sale disturbs < 5 acres)? If so, what are your standards?	NO		
Do your standards include operation and maintenance requirements?	YES		
	Applicable Documents	Reviewed	Obtained
	BMP guidance or technical document	YES	YES

Notes
1) City does require all sites to submit a long-term maintenance agreement to ensure maintenance in perpetuity, but is still a bit of a work in progress. Discussed adding "conditional approval" to be added when Summit SWCD approves the SWP3 with the draft LTMA.

Plan Review Procedures	
Interview Questions	Response
Who is responsible for erosion and sediment control plan review?	Summit SWCD
If third party, is there an MOU or other agreement in place?	YES
Is it current?	YES But may need to be updated based on discussions during audit.

Plan Review Procedures	
Interview Questions	Response
<p>Who is responsible for post-construction plan review?</p> <p>If third party, is there an MOU or other agreement in place?</p> <p>Is it current?</p>	<p>Summit SWCD</p> <p>NO</p> <p>Review of post-construction is not in MOU. Not having MOU with third party is a violation. Summit SWCD does only a cursory review of design calculations for water quality BMPs. Summit SWCD is not equipped to do detailed review of storm water management calculations.</p> <p>N/A since review for post-con is not in MOU.</p>
<p>What training or professional certifications have plan review personnel received?</p> <p>Construction</p> <p>Post-Construction</p> <p>How many years of experience does plan review personnel have inspecting storm water BMPs?</p> <p>Construction</p> <p>Post-Construction</p> <p>How often do plan review personnel receive training?</p> <p>Construction</p> <p>Post-Construction</p>	<p>Summit SWCD personnel have CESSWI and CPESC certification.</p> <p>CESSWI and CPESC</p> <p>One staff person at Summit SWCD has the CPSWQ, but he does not always conduct the post-construction review for plans in Stow.</p> <p>Summit SWCD has been reviewing erosion and sediment control plans since mid-to-late 1980's. Cindy Fink has had 20 years of experience doing these plan reviews.</p> <p>Summit SWCD has only been reviewing post-construction BMPs since 2006-2007.</p> <p>Four to six workshops per year through participation in the NE Ohio Storm Water Training Council. These workshops cover various construction and post-construction topics.</p>
<p>Do you use a checklist to conduct plan review?</p> <p>Construction</p> <p>Post-Construction</p> <p>If NO, what criteria is used to review plans?</p> <p>Construction</p> <p>Post-Construction</p>	<p>YES</p> <p>YES</p>
<p>Size threshold for plan review (i.e. 1 acre, 10,000</p>	

Plan Review Procedures	
Interview Questions	Response
<p>square feet)?</p> <p>Construction</p> <p>Post-Construction</p>	<p>Ordinance states SWP3 must be developed and implemented for all parcels of 1 or more acre and on which any regulated activity of Section 933.01(c) is proposed. Discussed need to add "larger common plan" language to ordinance.</p>
<p>Do you verify the submission of a Notice of Intent (NOI) or Individual Lot NOI to Ohio EPA as part of your plan review process?</p>	<p>YES for NOI, but NO for Co-Permittee NOI and Individual Lot NOI. <i>Ohio EPA recommends that the community verifies the submittal of all individual lot NOIs since many times they are not covered under the NPDES permit for the subdivision as a whole.</i></p>
<p>Do you require a pre-construction meeting with developers and/or contractors?</p> <p>Is the sequence of implementation of sediment and erosion controls discussed during these meetings?</p> <p>Is the timing of installation of post-construction BMPs discussed during these meetings?</p>	<p>YES</p> <p>YES</p> <p>YES</p>
<p>Does your community have standard conditions of plan approval?</p> <p>Do they include erosion and sediment control and/or post-construction water quality requirements?</p>	<p>N/A ... Do not use "standard conditions"</p> <p>N/A</p>
<p>Does your community require a performance bond that can be used to pay for BMPs (site stabilization) in the event the developer does not complete the project?</p>	<p>YES City does require a performance bond and it can be used to pay for any work that is needed on that site. However, they have not traditionally used this bond to pay for storm water BMPs. This is a room for improvement item.</p>
<p>Does your community require a long-term maintenance plan for post-construction BMPs?</p> <p>If YES, is the plan required to include the following:</p> <p>Identify the party responsible for long-term maintenance?</p>	<p>YES City requires property owner to sign long-term maintenance agreement. The agreement includes the following:</p> <p>YES</p>

Plan Review Procedures			
Interview Questions		Response	
<p>A list of routine and non-routine maintenance tasks and the frequency for their performance?</p> <p>A map that identifies the types and locations of post-construction BMPs and their maintenance or access easements?</p> <p>A list of deed restrictions, conservation easements or environmental covenants required to maintain post-construction BMPs in perpetuity?</p> <p>Is this plan kept on file or input into a database for future reference to ensure the required tasks are being completed?</p>		<p>YES</p> <p>YES Discussed providing both a detailed drawing and a simplified format for the owner.</p> <p>NO Agreement is currently undergoing revision and they will look at this issue.</p> <p>NO</p>	
Applicable Documents		Reviewed	Obtained
Copy of standard conditions of approval		N/A	
Example of standard conditions applied to an approved project		N/A	
Checklist used by plan reviewers		YES	YES

Project Inspections	
Interview Questions	Response
CONSTRUCTION SITE INSPECTIONS	
Who is responsible for erosion and sediment control site inspection?	Summit SWCD formally, but if city inspectors note something obviously wrong, they tell the City Engineer about it.
If third party, is there an MOU or other agreement in place?	YES
Is it current?	YES
POST-CONSTRUCTION INSPECTIONS	
Who is responsible for post-construction site inspection?	MOU does not officially give this duty to Summit SWCD. No one is really conducting post-construction inspections, although Summit SWCD says they will look to make sure the BMP is installed.
If third party, is there an MOU or other agreement in place?	NO

Project Inspections	
Interview Questions	Response
Is it current?	N/A
Is an "as-built" inspection conducted at the time a post-construction BMP is installed to ensure compliance with the approved BMP construction plan?	NO May be done on occasion, but not a standard. This is a violation. See Note #1 on Page 18
Does the MS4 conduct inspections for long-term maintenance of privately-owned post-construction BMPs? If YES, at what frequency? If NO, does the MS4 collect inspection reports from the responsible party? At what frequency?	NO No program in place for long-term maintenance inspections. NO
CONSTRUCTION & POST-CONSTRUCTION INSPECTION QUESTIONS	
Findings from construction and post-construction inspections tracked in a database?	SOMETIMES. Summit SWCD does not issue a letter or written notification of findings for every site inspection.
What training or professional certifications have site inspection personnel received? Construction Post-Construction How many years of experience does site inspection personnel have inspecting storm water BMPs? Construction Post-Construction How often do site inspection personnel receive training? Construction Post-Construction	These answers are for Summit SWCD. City site inspectors have different training. City provided documentation of one training event for their inspectors. They are on Ohio EPA training list. CESSWI and CPESC 20 years 10 years 4-5 times per year Do attend Ohio EPA trainings
Do you use a checklist or the approved plan to conduct site inspections?	

Project Inspections		
Interview Questions	Response	
Construction Post-Construction	YES	
If NO, what standards are used to determine if a site is compliance?	NO - Do not do post-construction inspections.	
Construction Post-Construction	N/A	
Applicable Documents	Reviewed	Obtained
Most recent inspection staff training records	Summit SWCD will provide.	YES
Example of active construction project inspection checklist	N/A – Uses plan	
Example of inspection record to verify "as-built" of post-construction BMPs	Does not exist	
Records from inspection tracking database or filing system	Will review during file review	
Checklist for inspecting long-term maintenance of post-construction BMPs	Does not exist	

Notes
1) The City is not conducting post-construction inspections. This is a violation of Part III.B.5.f of the NPDES Permit #OHQ000002.

MS4-Owned Construction Projects	
Interview Questions	Response
Projects designed in-house or contracted?	Both. Depends on staff availability.
Designers trained in storm water BMP implementation?	YES Attend workshops and 10-15 years of experience.
Checklist used during the design and/or review of public construction projects?	NO Situation-dependent to date, but plan to update the process to ensure consistency with process for private development.
Are projects greater than one acre covered a general construction permit (has an NOI been submitted)?	YES

MS4-Owned Construction Projects		
Interview Questions	Response	
If contracted planners and engineers are used for the design of MS4-owned projects, does the contract language specify that sediment and erosion control and post-construction storm water BMPs be incorporated into the design?	<p>YES General statement saying plan design has to meet all state and federal regulations. Recommend to make more specific.</p>	
<p>Are municipal construction projects inspected for compliance with the SWP3?</p> <p>Are they inspected with the same frequency for BMP compliance as a private construction project?</p> <p>Who inspects municipal construction projects for compliance?</p>	<p>YES Summit SWCD does not inspect municipal construction projects as a matter of practice, however may upon request.</p> <p>YES City Engineering Department Inspectors. See Note #1 on Page 21.</p>	
<p>Project inspectors trained?</p> <p>Frequency:</p>	<p>YES Once that was documented. Stressed need to provide training regularly (and document).</p>	
If contracted inspectors are utilized, are minimum inspection, maintenance and reporting requirements specified in the contract?	N/A	
<p>For municipally-owned post-construction BMPs, how often are they inspected to ensure long-term maintenance?</p> <p>Which department is responsible for conducting these inspections?</p>	<p>N/A – No inspections are occurring. City needs to get program up and running. Detention basins are inspected annually to ensure that basin is still there and that they are somewhat being maintained. Looking for mowing, no trees growing within, clogging.</p> <p>Engineering Department.</p>	
Applicable Documents	Reviewed	Obtained
MS4-owned project storm water design standards and/or checklist	RLD Manual – No Checklist	
Contract language for active public project not developed or	N/A	

MS4-Owned Construction Projects	
Interview Questions	Response
inspected in-house	

Outreach and Education	
Interview Questions	Response
Type of training provided to construction operators: Designers and Engineers:	City does not provide its own training for the development community, but Summit SWCD does provide training for construction site operators from time to time. Advertise opportunities through the PIPE. Builder's workshops once or twice over the permit. Summit PIPE provided materials on LID development including posters, news releases, photo contest. City not sure if or how this material was distributed.
Attendance required?	N/A
Training frequency?	Once or twice per permit term
Number of operators trained:	Will review records and send to Ohio EPA. Please send any records to Ohio EPA and be sure to document future trainings.
Training topics:	NE Ohio Storm Water Training Council meetings cover various construction and post-construction topics. Summit SWCD will provide list of what has been offered. Stow will see if there is documentation to show what was done in Stow.
Presentations given by MS4 staff to professional groups?	NO However, Summit SWCD has provided talks to the Kiwanis club, etc. MOU has general language about providing education and outreach assistance.
Brochures or outreach materials targeted at operators:	Summit SWCD has created a brochure for homebuilders on erosion and sediment control on individual lots. Copy was provided to us.

	Discussed possibly issuing brochures with zoning permits (building department)
How/when is the information distributed?	Brochure provided at Summit SWCD builders workshops. Posted on the Summit SWCD website. Not sure how Stow distributed it.
Website used to educate operators? Web address:	NO See Note #2 on Page 21.
Applicable Documents	Reviewed Obtained
Training materials	SOME SOME
Brochures, outreach materials	SOME SOME

Notes
<p>1) To avoid a conflict of interest, the firm or department that designed the SWP3 should not also inspect the site for compliance.</p> <p>2) The Engineering Department homepage on the community's website could be used to educate operators and could provide detail drawings from the <u>most current edition</u> of the <u>Rainwater and Land Development</u> manual, since the City references these standards as their own.</p>

CONSTRUCTION & POST-CONSTRUCTION FILE RECORDS REVIEW

Construction Project #1 Name: Stillwood Subdivision 3GC03115*AG	
BMPs adequately incorporated into the plan to address erosion control, sediment control, and housekeeping?	MOSTLY , but not entirely. See Notes.
Design specifications and details for all BMPs included on the plans?	NO for Phase I YES for Phase III
Maintenance requirements specified?	YES
Have any NOV's or other enforcement actions issued for this site. Obtain copies of NOV's. If none, why not?	NO NOV's The City does not enforce enforcement escalation. Multiple inspection letters sent for the same issue but no violation sent.
<p>Notes:</p> <p>An NOI was originally submitted in 2006 for this project. The SWP3 shows that the plan of construction at the time was Phase 1, a lift station and retention pond, plus an access road from the edge of pavement for Phase 1 and the lift station. Summit SWCD approved the SWP3 on October 4, 2006, without compliant post-construction. A drawing showing the permanent WQv orifice was subsequently submitted on December 20, 2006. In 2012, a plan was submitted to Summit SWCD for Phase 3 of the project. Summit SWCD did not ensure that an additional NOI was submitted by the developer. Krano Construction did not submit a Co-Permittee NOI. Drees Homes has not submitted Individual Lot NOIs.</p> <p>The plan of construction for Phase 3 is installation of the roadway and additional utilities associated with the area between Phase 1 edge of pavement and the lift station. The roadway for Phase 3 follows the path of the access road installed during Phase 1, but it is an improvement expanding width and adding impervious surface. Summit SWCD approved the use of the existing retention basin as a sediment basin for Phase 3. The design of the sediment basin does not meet current requirements. The design approved in 2006 was a downturned elbow attached to the permanent outlet structure at elevation 1105.50 with a single 3-inch diameter at elevation 1104.50. These elevations and orifice sizes do not correspond with the elevation and orifice size on the attached Temporary Sediment Basin Calculations sheet (dewatering elevation at 1102.20 and 3.5" diameter required). Why did Summit SWCD approve this if drawing and design calculations don't match? Drainage area to basin is 59.96 acres. Calculations show that 108,000+ ft³ of storage is required to meet NPDES requirements and it does appear that the basin has the appropriate storage volume.</p> <p>The approved plans for Phase 1 also called for RCE, diversions, rock check dams, silt fence and temporary sediment traps, inlet protection, outlet protection. Detail drawings were provided for all of these BMPs as well as pertinent elevations. No detail drawing or specification was</p>	

Construction Project #1 Name: Stillwood Subdivision 3GC03115*AG

provided for a concrete washout area or silt fence. Phase 1 plan does not include notes regarding most good housekeeping practices, but does include note on inspection frequency. Maintenance specifications were provided for BMPs.

The approved plans for Phase 3 called for using the same sediment basin as for Phase 1. **Discussed with Summit SWCD that they should be requesting an upgrade to current requirements since a new NOI must be submitted.** Other BMPs shown for Phase 3 are: Enviro Bag for concrete washout (they are not using Enviro Bag, they attempted to build a plastic-lined pit – see photos), RCE, silt fence, inlet protection, outlet protection and site stabilization. Good housekeeping notes were included. Details provided for all BMPs. Summit SWCD did an improved plan review in 2012 vs. 2006.

Plan review and plan approval letters for the two plans were in the Summit SWCD file.

Phase I SWP3 approved and a pre-construction meeting was held on October 4, 2006. Inspection letters: November 21 and December 13 of 2006, January 5 & 31, March 21, April 4 & 23, May 9 & 24, June 14, July 5 & 18, August 1 & 14, September 17, October 15, November 2 & 16 of 2007, February 7, March 26, April 30 and July 15 of 2008

August 14, 2007 letter noted that sediment control structure in basin not installed and was not corrected until the November 16, 2007 letter. Why wasn't this installed within 7 days of first grubbing and prior to grading?

Phase I-A SWP3 approved on November 18, 2008.

Inspection letters: March 17, April 2, May 13, June 1, September 2 and December 3 of 2009, March 10, April 8, June 22, July 29 and November 10 of 2010 and March 22 and June 8 of 2011

Gullyng of the road ditch line was an issue from the June 1, 2009 letter to the June 22, 2010 letter.

No documentation of inspections in July, August or November of 2009. It was finally repaired by the June 8, 2011 letter.

Phase III SWP3 approved on October 10, 2012 and a pre-construction meeting held on October 12, 2012 with a proposed start date of October 15, 2012.

Inspection letter: January 16, 2013

Why is the only inspection letter for January if construction was proposed to start in October?

Post-construction for Phase 1 and 3 is the same: wet extended detention basin with 5-inch orifice on cap of a down-turned pipe at elevation 1105.50.

Construction Project #2 Name: Flex Building Site Development 3GC02448*AG	
BMPs adequately incorporated into the plan to address erosion control, sediment control, and housekeeping?	YES RCE, silt fence, inlet protection. Just general notes about housekeeping practices.
Design specifications and details for all BMPs included on the plans?	YES
Maintenance requirements specified?	YES
Have any NOVs or other enforcement actions been issued against this site? Obtain copies of NOVs. If none, why not?	No NOVs because project started, but never finished. Just some clearing and grubbing. Summit SWCD started inspections in January 2009. Site was idle as per December 2009 letter and still idle per April 2010 letter. Inspection letters dated January 7, February 18, March 9, April 9 and December 3 of 2009, as well as April 8, 2010.
<p>Notes:</p> <p>Letter from Krock Esser Engineering states that storm water from site goes into an off-site storm water management pond that is adequately sized to handle the WQv. However, no calculations provided. No indication of location of off-site pond. The pond is in the Hudson Business Campus Development. City provided plan for HBCD and we found the stage-storage data and ran calculations to verify that Pond A in HBCD is adequate to meet post-construction requirements.</p> <p>Discussed updating SWMP to include provision for reduced inspection frequency for idle sites.</p> <p>Plan approval on July 25, 2008.</p>	

Construction Project #3 Name: Christ Community Chapel 3GC06151*AG

<p>BMPs adequately incorporated into the plan to address erosion control, sediment control, and housekeeping?</p>	<p>YES, except location of eastern diversion not shown in a practical place. Not only does it run to middle of soil stockpile, but also the building pad/parking area. So, it cannot be maintained throughout construction.</p> <p>Plan calls for diversions to sediment traps on the south side of the property. Diversion is shown running through the soil stockpile, so comment should have been made during plan review. Silt fence along west side of site, 2 sediment traps, RCE, truck wash, fuel tank, concrete chute washout area shown.</p>
<p>Design specifications and details for all BMPs included on the plans?</p>	<p>YES</p>
<p>Maintenance requirements specified?</p>	<p>YES</p>
<p>Have any NOV's or other enforcement actions been issued against the site? Obtain copies of NOV's. If none, why not?</p>	<p>No NOV's to date, but intend to issue one in response to site inspection on 1/29/2013.</p> <p>Summit SWCD will provide copy of status report to City of Stow. City of Stow intends to send out a Notice of Violation for:</p> <ul style="list-style-type: none"> (1) No stabilization of soil stockpiles and rest of site. Amend SWP3 to show size/location. (2) Sediment trap outlets not to specification (3) Encircle stockpile with silt fence (4) RCE – off site tracking of sediment (5) Install diversion – if cannot install where shown on SWP3, amend SWP3

Notes:
Sediment and erosion control design for the two sediment traps was verified to meet NPDES requirements. Post-construction will be a dry extended detention basin with forebay and micropool. Calculations were checked to verify compliance with NPDES permit.

Plan review checklist located in file. Plan approval letter dated October 16, 2012, located in file. Summit SWCD sent an e-mail to Jeff Shaver, inspector in the building department, on December 6, 2012, notifying him of off-site tracking from the site. E-mail sent to City because it was their contractor that was bringing spoils onto the site and tracking it off. In the future, we recommend that the City Storm Water Program Manager be copied on all such e-mails to ensure the correct person in the City administration is being notified of problem. Summit SWCD sent inspection letters on December 18, 2012, and January 15, 2013. No other letters or NOV's. Off-site tracking and temporary stabilization were noted in these letters. Since these issues

Construction Project #3 Name: Christ Community Chapel 3GC06151*AG
have not been addressed, City will be issuing NOV.

Post-Construction Project #1 Name: Akron General Medical Center 3GC01893*AG	
Date that project was accepted by community or otherwise deemed "completed"	
<p>Were post-construction BMPs provided for all drainage areas associated with the developed site?</p> <p>List the post-construction BMPs provided?</p>	<p>YES, it appears so.</p> <p>Parking lot passes through bioretention before discharging into pond. All storm sewers discharge to pond. However, City does not have the information in the files to confirm design of either the bioretention areas or the pond. Portion of pond is a wetland. Army Corps permit in file. Developer only impacted the area permitted. *See Notes</p> <p>May 5, 2006, letter from then-City Engineer, Bill Drew, states pond design was reviewed and it meets both City of Stow and EPA requirements for water quality volume.</p> <p>DA #1: All runoff, even the runoff that passes through bioretention, ends up in the pond.</p>
Design specifications and details for all BMPs included on the plans?	YES
Were post-construction BMPs selected appropriate for their drainage areas, site and soil conditions?	YES
Did the community verify the installation of post-construction BMPs per the approved plan at the time the project was completed?	NO
<p>Does MS4 have a copy of the long-term maintenance plan?</p> <p>Who does the plan say is responsible for long-term maintenance?</p> <p>Has the MS4 conducted any long-term maintenance inspections or collected any long-term maintenance inspection reports from the responsible party?</p> <p>Obtain copy of latest inspection report.</p>	<p>NO</p> <p>Unknown</p> <p>NO</p> <p>City does not have a long-term maintenance program yet.</p>

Post-Construction Project #1 Name: Akron General Medical Center 3GC01893*AG	
Notes: City did locate and send bioretention details on January 31, 2013 and design met standards. Summit SWCD found basin design details and sent to Ohio EPA on January 31, 2013. Their review took place in August of 2005 and the design of the "wetland basin" (15.9 ac) and "forebay depression" (9.3 ac) met current standards. The water quality volume was met with the "wetland basin" design.	

Post-Construction Project #2 Name: Besso Professional Offices 3GC05392*AG	
--	--

Date that project was accepted by community or otherwise deemed "completed"	December 2012
Were post-construction BMPs provided for all drainage areas associated with the developed site? List the post-construction BMPs provided?	YES DA #1 Dry Extended Detention within storm sewer pipes DA #2 N/A
Design specifications and details for all BMPs included on the plans?	YES
Were post-construction BMPs selected appropriate for their drainage areas, site and soil conditions?	NO Practices such as bioretention or dry enhanced swale would have been preferred on this project. Summit SWCD indicated that they need clearer guidance from City of Stow to drive BMP selection on small construction sites.
Did the community verify the installation of post-construction BMPs per the approved plan at the time the project was completed?	NO We inspected the site on 1/29/13 and verified that they did install what was approved by Summit SWCD.
Does MS4 have a copy of the long-term maintenance plan? Who does the plan say is responsible for long-term maintenance?	YES But, in draft. Still not finalized. Besso Clinic of Chiropractic Inc.
Has the MS4 conducted any long-term	NO

Post-Construction Project #2 Name: Besso Professional Offices 3GC05392*AG	
maintenance inspections or collected any long-term maintenance inspection reports from the responsible party? Obtain copy of latest inspection report.	Too early in process
Notes:	

Post-Construction Project #3 Name: Steels Pointe Subdivision Phase II 3GC02847*AG	
Date that project was accepted by community or otherwise deemed "completed"	City could not locate any files and does not know what this project is exactly. No record of a Steels Pointe Subdivision Phase II, just a replat of Steels Point Subdivision Lots 6-8. *Cindy of Summit SWCD emailed info to Molly on January 31, 2013. Below is based on the emailed details.
Were post-construction BMPs provided for all drainage areas associated with the developed site? List the post-construction BMPs provided?	DA #1 Dry Extended Detention Basin #1 (West), 5.66 ac DA #2 Dry Extended Detention Basin #2 (East), 6.65 ac
Design specifications and details for all BMPs included on the plans?	YES (plans were emailed later)
Were post-construction BMPs selected appropriate for their drainage areas, site and soil conditions?	YES (plans were emailed later)
Did the community verify the installation of post-construction BMPs per the approved plan at the time the project was completed?	NO
Does MS4 have a copy of the long-term maintenance plan?	NO
Who does the plan say is responsible for long-term maintenance?	NO
Has the MS4 conducted any long-term maintenance inspections or collected any long-term maintenance inspection reports from the responsible party?	NO

Post-Construction Project #3 Name: **Steels Pointe Subdivision Phase II 3GC02847*AG**

Obtain copy of latest inspection report.

Notes:

*This development is a piece of a larger project that encompasses Courthouse Blvd and sublots along it. There are a number of different NOIs for the various parts and pieces. The City does not know and cannot find any records to show what piece the Steels Pointe Subdivision Phase 2 project is. **

Pride One Omni is the developer of the Steels Pointe Development. There is no single NOI for the master development, just individual NOIs for each lot. The party that purchases the lot seems to be the party that files the NOI.

*Review of the project shows that storm water goes into "forebays" and then spills over into a natural wetland. City has documentation that shows the wetlands are in a conservation easement. However, detention area is within the conservation easement as well as a bike trail and waterline. Asked them to provide us with documentation on that. However, the "forebays" do not appear to be designed to provide any post-construction water quality function. There is nothing obvious on any of the individual parcels either. Thus, Ohio EPA believes these projects are being constructed without any WQv practices in violation of the NPDES permit. **

***Summit SWCD did locate their file after the file review and sent to Ohio EPA on January 31, 2013.** SWCD reviewed the project in September of 2006. The plans appear to have met current standards for water quality. The project area is actually located over by the hotel. The City should look into this project and surrounding areas and confirm that WQv practices have been installed. Our review and site inspection did not look at the basin on the plans as the project area was unknown.

8. Did the MS4 inspector ask the project superintendent or site foreman to accompany him or her on the inspection?
No
9. Did the MS4 inspector recap his findings upon completion of his or her inspection?
No
10. Is the community planning on taking any enforcement actions based on the results of today's inspection? If so, what are those actions? *(NOTE: Ask community to send you a copy of the enforcement action.)* Did the inspector provide a deadline for corrective action? If so, provide details.
Summit SWCD will send out an inspection letter.

Ohio EPA received a copy of a site inspection report from Summit SWCD dated 2/1/13, which gave 14 days for the above deficiencies to be addressed. The letter also stated that a new NOI for Phase III should be obtained immediately and that a skimmer will be mandatory after the 2013 permit renewal and to amend the SWP3 accordingly.

Ohio EPA received a copy of a NOV from the City of Stow dated 2/28/13 giving 30 days for site compliance. The NOV had the SWCD site inspection report dated 2/27/13 attached, as discussed during the interview. The report stated that site stabilization and concrete washout pit had not been addressed. Inlet protection had been installed and a skimmer was planned to be installed but had not yet. **The report made no reference to the previously mentioned level spreader or silt fence or the NOI.** **Ohio EPA records show that Stillwood Developers was issued Permit #3GC06410*AG on March 12, 2013 for Stillwood Phase III. **Co-Permittee coverage has NOT been obtained.***

Photos taken on January 29, 2013 by Dan Bogoevski, OEPA, DSW, NEDO



Road Inlet Protection to be installed

Stabilization must be established



Level spreader to be installed
containment

Concrete washout pit is not providing

CONSTRUCTION FIELD REVIEW WORKSHEET

Name of MS4: City of Stow

MS4 Permit No: 3CQ00065*BG (Summit Co. & Others)

Name of Site Christ Community Chapel	
Location 3900 Kent Road	NPDES Permit # 3GC06151*AG
Date of Inspection 1-29-2013	Time of Inspection 2:20 PM
Name of Inspector Cindy Fink, Summit SWCD	
Others Present During Inspection Dan Bogoevski & Molly Drinkuth, OEPA Sheila Raymond & Peter Bell, City of Stow	

1. Did MS4 inspector identify himself to the project superintendent or site foreman and state the purpose of his inspection?
 No one was on site

2. Did the MS4 inspector ask if any amendments have been made to the SWP3 since his or her last inspection?
 N/A

3. Did the MS4 inspector review the site inspection reports required of the developer once every 7 days and within 24 hours of a 0.5-inch or greater rainfall?
 N/A

4. Did the inspector reference the approved SWP3 or use it as the basis of his or her inspection?
 Yes – but plan does not indicate necessary diversion along west side

5. Did the inspector follow-up on any compliance issues found during his or her last inspection?
 -Construction entrance to be built per specification
 -Disturbed areas at south end of site around sediment traps were not stabilized

6. Compliance issues identified by inspector during this inspection:
 -Construction entrance inadequate (asphalt chips) – soil tracked offsite
 -Temporary stabilization of stockpile is inadequate
 -Soil stockpile not in location shown on SWP3; SWP3 to be amended
 -Rock outlets for sediment traps not installed per specification

7. Deficiencies or NPDES violations not noted by the MS4 inspector during this inspection:
 -Did not check for Co-Permittee NOI (Ohio EPA files do not have any listed)
 -Diversion have not been installed or maintained
 -WQv basin is upslope of the sediment traps (not practical set up)

8. Did the MS4 inspector ask the project superintendent or site foreman to accompany him or her on the inspection?

N/A

9. Did the MS4 inspector recap his findings upon completion of his or her inspection?

N/A

10. Is the community planning on taking any enforcement actions based on the results of today's inspection? If so, what are those actions? (NOTE: Ask community to send you a copy of the enforcement action.) Did the inspector provide a deadline for corrective action? If so, provide details.

Summit SWCD will send inspection report to the City of Stow and the City will attach report to NOV letter on their letterhead and send to owner and operator.

Ohio EPA received a copy of a NOV from the City of Stow dated 2/4/13, giving 30 days for site compliance. The NOV had the Summit SWCD site inspection report dated 2/1/13 attached, as discussed. The inspection report listed the above violations and deficiencies. Ohio EPA received a copy of a Notice of Compliance from the City of Stow dated 2/28/13 which included the SWCD site inspection report dated 2/27/13 indicating compliance with the stockpile, sediment trap rock outlets, diversions, construction entrance and previously disturbed areas. Co-Permittee coverage has NOT been obtained.

Photos taken on January 29, 2013 by Dan Bogoevski, OEPA, DSW, NEDO



Construction entrance to be addressed to eliminate off-site tracking onto Kent Road



Stockpile and disturbed areas to be stabilized



Rock outlets of sediment traps not built with materials per SWP3 specifications

CONSTRUCTION FIELD REVIEW WORKSHEET

Name of MS4: City of Stow

MS4 Permit No: 3CQ00065*BG (Summit Co. & Others)

Name of Site Flex Building Site Development	
Location SW Hudson Drive & Campus Drive	NPDES Permit # 3GC02448*AG
Date of Inspection 1-29-2013	Time of Inspection 3:15 PM
Name of Inspector Cindy Fink, Summit SWCD	
Others Present During Inspection Dan Bogoevski & Molly Drinkuth, OEPA Sheila Raymond & Peter Bell, City of Stow	

1. Did MS4 inspector identify himself to the project superintendent or site foreman and state the purpose of his inspection?
No one on site; site is idle with no construction in several years.
2. Did the MS4 inspector ask if any amendments have been made to the SWP3 since his or her last inspection?
N/A
3. Did the MS4 inspector review the site inspection reports required of the developer once every 7 days and within 24 hours of a 0.5-inch or greater rainfall?
N/A
4. Did the inspector reference the approved SWP3 or use it as the basis of his or her inspection? Yes
5. Did the inspector follow-up on any compliance issues found during his or her last inspection? N/A
6. Compliance issues identified by inspector during this inspection:
-Dress up gravel and stabilize recently disturbed areas (asphalt pads for trailer parking)
7. Deficiencies or NPDES violations not noted by the MS4 inspector during this inspection:

-SWMP needs to include provision for reduced inspection frequency for idle sites

8. Did the MS4 inspector ask the project superintendent or site foreman to accompany him or her on the inspection?

N/A

9. Did the MS4 inspector recap his findings upon completion of his or her inspection?

N/A

10. Is the community planning on taking any enforcement actions based on the results of today's inspection? If so, what are those actions? (NOTE: Ask community to send you a copy of the enforcement action.) Did the inspector provide a deadline for corrective action? If so, provide details.

City is to look into who installed asphalt pads for parking.

POST-CONSTRUCTION INSPECTION WORKSHEET

Name of MS4: City of Stow	
MS4 Permit No: 3CQ00065*BG (Summit Co. & Others)	
Name of Site: Akron General Medical Center	
Location: 4300 Allen Road	NPDES Permit #: 3GC01893*AG
Date of Inspection: 1-29-2013	Time of Inspection: 3:30 PM
Name of Inspector: Dan Bogoevski & Molly Drinkuth	
Post-Construction BMPs on this Site (list by drainage area)	
DA #1: Bioretention to constructed wetlands	
DA #2: Wetland Basin, 15.9 ac	

1. Has the MS4 conducted an as-built inspection of the post-construction BMPs on this site?

No, the City does not conduct as-built inspections.

2. Using the approved post-construction plan on file with the MS4, verify that the planned BMPs have been installed. If a post-construction BMP has not been installed, what does the MS4 intend to do about it?

Post-construction plan was not on file for the inspection.

Parking lot passes through bioretention before discharging into wetland pond. All storm sewers discharge to wetland basin. However, City did not have the information in the files to confirm design of either the bioretention areas or the pond. Portion of pond is a wetland. Army Corps permit in file. Developer only impacted the area permitted. May 5, 2006, letter from then-City Engineer, Bill Drew, states pond design was reviewed and it meets both City of Stow and EPA requirements for water quality volume.

Details emailed to Ohio EPA after the inspection showed a 5.5" diameter orifice on the outlet structure of the "wetland basin," consistent with the 6" diameter field estimate.

3. For post-construction BMPs properly installed, did the inspector use the approved long-term maintenance plan as his basis for inspection?
No, maintenance plan was not available.

4. Long-term maintenance issues noted by the MS4 inspector during this inspection. **NOTE:** If maintenance issues are found, ask the MS4 to provide you with a copy of their notification to the responsible party.
The bioretention areas need maintenance if continued to be used for post construction. No ponding volume above soil mix and erosion of gravel at curb cuts.

Wetland basin has invasive cattails growing within. The conservation area has been mowed despite posted sign.

5. Did the MS4 inspector demonstrate knowledge of post-construction BMP function and essential long-term maintenance issues?
The City does not conduct post-construction inspections.

Photos taken on January 29, 2013 by Dan Bogoevski, OEPA, DSW, NEDO





POST-CONSTRUCTION INSPECTION WORKSHEET

Name of MS4: City of Stow
MS4 Permit No: 3CQ00065*BG (Summit Co. & Others)

Name of Site Steels Pointe Subdivision Phase 2	
Location Steels Corner Rd/Route 8	NPDES Permit # 3GC02847*AG
Date of Inspection 1-29-2013	Time of Inspection 4:00 PM
Name of Inspector Dan Bogoevski & Molly Drinkuth	
Post-Construction BMPs on this Site (list by drainage area)	
<p style="margin-left: 40px;">DA #1 Dry Extended Detention Basin #1 (West), 5.66 ac</p> <p style="margin-left: 40px;">DA #2 Dry Extended Detention Basin #2 (East), 6.65 ac</p>	

1. Has the MS4 conducted an as-built inspection of the post-construction BMPs on this site?
 No, the City does not conduct as-built inspections.

2. Using the approved post-construction plan on file with the MS4, verify that the planned BMPs have been installed. If a post-construction BMP has not been installed, what does the MS4 intend to do about it?
 Post-construction plan was not on file for the inspection.

This development is a piece of a larger project that encompasses Courthouse Blvd and sublots along it. There are a number of different NOIs for the various parts and pieces. The site of the Steels Pointe Subdivision Phase 2 project was unknown during the field visit. Summit SWCD did locate their file after the file review and sent to Ohio EPA on January 31, 2013. SWCD reviewed the project in September of 2006. The plans appear to have met current standards for water quality but it is unknown what was installed. The project area is actually located over by the hotel, so the site inspection did not look at the correct basin to evaluate.

The City must look into the projects that encompass the Courthouse Blvd area and confirm that a post-construction BMP has been implemented to meet NPDES permit requirements. If BMPs have not been installed, either on-site retrofit must be implemented or the City must require the contractor to develop off-site mitigation at one and a half (1.5) times the water quality volume associated with the development. Ohio EPA believes that no WQv practices were installed at the Klunk Office Building within this area.

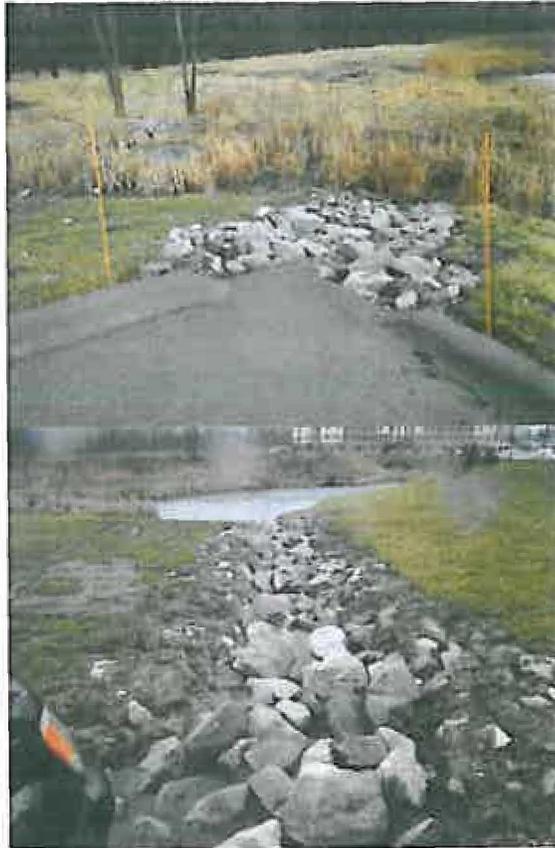
3. For post-construction BMPs properly installed, did the inspector use the approved long-term maintenance plan as his basis for inspection?
 No, maintenance plan was not available.

4. Long-term maintenance issues noted by the MS4 inspector during this inspection. **NOTE:** If maintenance issues are found, ask the MS4 to provide you with a copy of their notification to the responsible party.
Unsure if post-construction practices were installed.

5. Did the MS4 inspector demonstrate knowledge of post-construction BMP function and essential long-term maintenance issues?
The City does not conduct post-construction inspections.

Photos taken on January 29, 2013 by Dan Bogoevski, OEPA, DSW, NEDO

These pictures were taken over by the Klunk Office Building as the project location was unknown.





POST-CONSTRUCTION INSPECTION WORKSHEET

Name of MS4: City of Stow
MS4 Permit No: 3CQ00065*BG (Summit Co. & Others)

Name of Site Besso Professional Offices	
Location SE Corner of Darrow & Bryn Mawr	NPDES Permit # 3GC05392*AG
Date of Inspection 1-29-2013	Time of Inspection 4:20 PM
Name of Inspector Dan Bogoevski & Molly Drinkuth	
Post-Construction BMPs on this Site (list by drainage area)	
<p style="margin-left: 40px;">DA #1: Dry Extended Detention within storm sewer pipes Catch basin in NW corner of site has 1" pipe to catch basin along Byrn Mawr Dr</p>	

1. Has the MS4 conducted an as-built inspection of the post-construction BMPs on this site?
 No, the City does not conduct as-built inspections.

2. Using the approved post-construction plan on file with the MS4, verify that the planned BMPs have been installed. If a post-construction BMP has not been installed, what does the MS4 intend to do about it?
 The BMP approved by Summit SWCD was installed. Practices such as bioretention or dry enhanced swale would have been preferred on this project. Summit SWCD agreed but indicated that they more guidance from City of Stow to drive BMP selection on small construction sites.

3. For post-construction BMPs properly installed, did the inspector use the approved long-term maintenance plan as his basis for inspection?
 No, maintenance plan was not available.

4. Long-term maintenance issues noted by the MS4 inspector during this inspection. **NOTE:** If maintenance issues are found, ask the MS4 to provide you with a copy of their notification to the responsible party.
 None

5. Did the MS4 inspector demonstrate knowledge of post-construction BMP function and essential long-term maintenance issues?
 The City does not conduct post-construction inspections.

Photos taken on January 29, 2013 by Dan Bogoevski, OEPA, DSW, NEDO

