



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

Re: **Notice of Violation**
Erie County
Sandusky Dollar General
Construction Storm Water
Facility ID No. 2 GC03222

April 22, 2013

Mr. Mark Bush
Sandusky Dollar General LLC
361 Summit Blvd Suite 110
Birmingham, Alabama 35243

Mr. Ryan Daniel
Bradford Building Company, Inc.
2151 Old Rocky Ridge Road, Suite 100
Birmingham, Alabama 35216

Dear Messrs. Bush and Daniel:

On April 3, 2013, I inspected the Sandusky Dollar General at 1701 Tiffin Avenue, Sandusky (photos taken). The purpose of my visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. No one was present to provide information on the project. As a result of the inspection, I have the following comments:

1. At the time of inspection, the site was not active. The building appeared to be complete and was open for business. The parking lot was paved and curbed. Since a construction trailer and onsite construction personnel were not present, the Storm Water Pollution Prevention Plan (SWP3) and logs were not reviewed.
2. No sediment controls were in use. There was no inlet protection on the catch basins in the parking lot, no riser pipe or other sediment control on the swale located east of the building, and no perimeter sediment controls along the streets bordering the site. Sediment appeared to be filling the opening to the storm sewer in the swale east of the building. *Permit Requires:* Structural controls shall be used on all sites remaining disturbed for more than 14 days. Sheet flow from denuded areas shall be intercepted by sediment barriers. Flows that exceed the design capacity of sediment barriers shall pass through a sediment settling pond. Controls practices shall prevent sediment laden water from entering storm drain systems and shall protect adjacent streams. *This is a violation of Parts III.G.2.d.i., ii., iii., and iv. of the permit.*

Sediment controls must be installed, including inlet protection, until the upslope drainage area has achieved final stabilization. All erosion and sediment control practices used to meet the conditions of this permit must meet the standards and specifications of the current edition of Ohio's *Rainwater and Land Development Manual* (ODNR) or other standards acceptable to Ohio EPA. A copy of this Manual may be found at <http://www.dnr.state.oh.us/tabid/9186/default.aspx>.

3. Soils were bare, weathered, and rills had formed, indicating the timeframe for stabilization may have been exceeded.

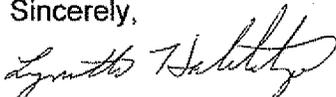
Permit Requires: Portions of the construction site that will be inactive for more than 21 days must have temporary stabilization initiated within the first seven. Temporary stabilization is required prior to the onset of winter weather for ground that will be idle over winter. Permanent stabilization is required within seven days on any portion of the site that has reached final grade or will be idle for longer than one year. Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching and matting, must still be used and maintained until more permanent methods can be implemented. *Failure to do so is a violation of Part III.G.2.b.i. of the permit.* At a minimum, some type of temporary stabilization must be immediately applied to all bare idle areas. I recommend that all inactive, unstable areas be mulched (two tons straw/acre) until conditions are more favorable for permanent seeding.

4. The garbage dumpster was uncovered. Debris had blown over the site. *This is a violation of Parts III.G.2.g.i. and iii. of the permit.* Please pick up litter and keep waste bins covered.
5. It was not evident what post construction storm water management controls had been installed to meet the permit requirements. Your SWP3 must contain a description of the post-construction storm water management controls that will be installed during construction, including detail drawings, and the rationale for their selection. Such practices include bioretention areas, pervious pavement, detention/retention ponds with extended detention, and infiltration practices. *This is a violation of Part III.G.2.e. of the permit.*

Within 10 days of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions. Please describe how the post construction storm water management requirements will be met for this project. Your reply must include the type(s) of practices you are implementing and the basis for their design.

If there are any questions, please contact me at (419) 373-3009.

Sincerely,



Lynette M. Hablitzel, PE
DSW Storm Water Program

/jlm

ec: Crystal Dymond, Storm Water Program Coordinator, Erie Soil & Water Conservation District
Jane Cullen, Project Engineer, Division of Engineering, City of Sandusky
Tracking