



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

Re: **Notice of Violation**
Erie County
Perkins High School
Construction Storm Water
Facility ID No. 2 GC03107

May 1, 2013

Mr. James Gunner
Perkins Board of Education
1210 East Bogart Road
Sandusky, Ohio 44870

Dear Mr. Gunner:

On April 3, 2013, I inspected Perkins High School at 3714 Campbell Street, Perkins Township (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 (Construction General Permit or CGP). The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. At the time, no one was present to provide information on the project. Ohio EPA has no record of other permittees for this project.

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

1. At the time of inspection, no active construction was occurring. The football stadium and track appeared to be complete. Storm sewers and a retention pond had been installed. The ground surrounding the stadium had been seeded and a light cover of grass had germinated.
2. Due to the lack of onsite construction personnel, the Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not available for review. I sent an e-mail to you on April 15, 2013, briefly describing compliance issues at the site and requesting the site's SWP3. To date, I have not received a response. Please submit the site map(s), detail drawings of the pond (the sediment settling pond as well as the post construction storm water management pond) and all SWP3 related design calculations within 10 days of the date on this letter. *Please note that failure to provide a complete SWP3 within that timeframe would be a violation of Part III.C.2. of the permit.*

3. Silt fence had been installed along a ditch on the west side of the site, south of the football stadium. There was inlet protection present on the catch basin south of the football stadium but the geotextile was torn and sagging. *Permit Requires:* All control practices shall be maintained and repaired as needed to assure continued performance of their intended function. *This is a violation of Part III.G.2.h. of the permit.* This must be repaired.

All sediment and erosion control practices must meet the standards of the current edition of *Rainwater and Land Development: Ohio's Standards for Storm Water Management, Land Development, and Urban Stream Protection* prepared by Dan Mecklenburg. A copy of this manual may be obtained at <http://www.dnr.state.oh.us/tabid/9186/default.aspx>.

4. Due to the large drainage area of this project and the presence of concentrated flow via the storm sewer, a sediment settling pond is required. A retention pond had been installed in the southeast portion of the site. The pond did not appear to have been constructed to meet permit requirements. Specifically, the storm sewer inlet was adjacent to the outlet. The permit requires at least a 2:1 length to width ratio between inlets and the outlet. This ratio should be maintained in the pond's post construction configuration. *Permit Requires:* Concentrated runoff and runoff from drainage areas that exceed the design capacity of silt fence or inlet protection shall pass through a sediment settling pond. To qualify as a sediment settling pond, structures must meet the following specifications: a dewatering zone sized at 67 cubic yards per total contributing drainage acre; dewatering depth less than or equal to five feet (optimal depths are between three to five feet); for ponds serving five acres or more, the dewatering zone shall have a minimum 48 hour drain time; a sediment storage zone sized at 1,000 c.f. per disturbed acre; and the distance between inlets and the outlet at least 2:1 length:width ratio. *This is a violation of Part III.G.2.d.ii. of the permit. It will be necessary to modify the pond to meet permit requirements.* This structure is required to meet the design requirements for a sediment settling pond until construction activities (earthwork) have ended and a perennial vegetative cover of 70% density has been achieved over the contributing drainage area.

Please be aware that the design criteria often differs between sediment settling ponds, which are required during construction, and post construction storm water management ponds, which are used to fulfill the Post Construction Storm Water Management requirements and are installed after the site has achieved final stabilization.

9. Disturbed soils beyond the immediate area of the football stadium had not been stabilized. Bare soil and bare soil stockpiles were observed south of the stadium. These soils were weathered and rills had formed, indicating the timeframes 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

Mr. James Gunner
May 1, 2013
Page Three

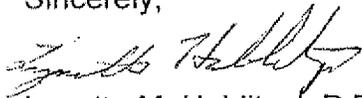
reached final grade or will be idle for longer than one year. Soil stabilization practices shall be initiated within two days on inactive, barren areas within 50 feet of a surface water. Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If 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 applied to all bare idle areas and maintained. I recommend applying temporary seeding with mulch (two tons/acre) and a tackifier to all inactive, unstable areas. Erosion control blankets should be used on the upper banks of the retention pond.

Please be aware that the Construction General Permit has recently been reissued. You will be notified in the near future on how to reapply for permit coverage. Under this next generation of the permit, you will be required to temporarily stabilize any portion of the site that will remain inactive for more than 14 days.

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.

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

Sincerely,



Lynette M. Hablitzel, P.E.
Division of Surface Water
Storm Water Program

/jlm

ec: Crystal Dymond, Storm Water Program Coordinator, Erie S&W Conservation District
Eric Dodrill, Highway Superintendent, Perkins Township
Jack Farschman, P.E., P.S., Erie County Engineer
Tracking