



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

July 8, 2013

RE: CUYAHOGA COUNTY  
VILLAGE OF WALTON HILLS  
CONSTRUCTION STORM WATER  
PERMIT NO: 3GC06451\*AG  
MANTUA MANUFACTURING  
**NOTICE OF VIOLATION**

Jeff Weekly  
Mantua Manufacturing  
7900 Northfield Rd.  
Walton Hills, OH 44146

Dear Mr. Weekly:

On Wednesday June 5, 2013, I conducted an inspection at the above mentioned site to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC06451\*AG. Accompanying me on my inspection was Julianna Murphy and Mike Beaty of the Division of Surface Water and Ken Spitzer, the superintendent on site of 620 Construction. Our records indicate that Mantua Manufacturing was granted coverage to discharge storm water under the general NPDES permit for construction activities on April 11, 2013.

On our inspection, we found that the weekly storm water inspections were conducted by Albers Excavating Inc. and were not kept on site. **Part III.G.2.i of the NPDES permit states that an inspection of all storm water controls will take place once every 7 days and within any storm event where there is at least half an inch of rainfall and that those records should be kept up till 3 years after the submittal of a Notice of Termination (NOT).** By doing this inspection, minor deficiencies, such as failing silt fence can be quickly caught and fixed. Seeing how Albers Excavating Inc. is not a day-to-day operator of the site, it is not feasible for them to conduct an inspection at the necessary times. **620 Construction needs to be conducting these inspections and filing them on site.**

The Ohio EPA General National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Associated with Construction Activities #OHC000004 requires all parties that meet the definition of "operator" contained in Part VII of the permit to obtain coverage under the NPDES permit. The definition of operator is any party associated with the construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications, or
2. The party has day-to-day operational control of those activities at a project, which are necessary to ensure compliance with the SWP3 or other permit conditions.

It is to our understanding that 620 Construction meets these criteria and are responsible for the installation and maintenance of storm water best management practices (BMPs), therefore requiring a Co-Permittee NOI. A review of our records does not indicate that any Co-Permittee coverage under this NPDES permit has been obtained. **Failure to obtain NPDES permit coverage is a violation of Ohio Administrative Code 3745-39-04 and Ohio Revised Code 6111.04.**

To obtain coverage, a Co-Permittee Notice of Intent (Co-Permittee NOI) must be submitted. The form and instructions are available on our website at [www.epa.ohio.gov/dsw/storm/index.aspx](http://www.epa.ohio.gov/dsw/storm/index.aspx) under the Forms and Permits tab. The Co-Permittee NOI was required to be submitted prior to your commencement of work on site. To correct this violation, please complete and submit a Co-Permittee NOI to:

Ohio EPA  
ATTN: Michael Joseph, DSW  
P.O. Box 1049  
Columbus, OH 43216-1049

There is no fee to file the form; however, any operators of the site will remain in violation of ORC 6111 until the Co-Permittee NOI is submitted. **Please submit this form no later than July 26, 2013.**

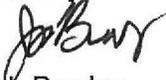
My inspection revealed the following deficiencies were noted:

- **The NPDES permit states that the SWP3 must contain a description of the post-construction BMPs that will be installed during construction for the site and the rationale for their selection...Detail drawings and maintenance plans must be provided for all post-construction BMPs. Maintenance plans shall be provided by the permittee to the post-construction operator of the site upon completion of construction activities (prior to termination of permit coverage).** The existing sediment basin can be modified into a water quality pond, a wet extended detention pond being the most logical choice, to meet post-construction requirements. Chapter 2.6 of the *Rain Water and Land Development Manual, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (Ohio Department of Natural Resources, 2006), (starting on page 47) contains specifications on water quality ponds. Below is a link to the Rain Water and Land Development Manual.  
[http://www.dnr.state.oh.us/portals/12/water/rainwater/Rainwater2009-6-23/6-23-09RLDFiles/6-24-09RLD\\_Full\\_Report.pdf](http://www.dnr.state.oh.us/portals/12/water/rainwater/Rainwater2009-6-23/6-23-09RLDFiles/6-24-09RLD_Full_Report.pdf)
- **Stabilization, i.e., seeding and mulching, has not been initiated as required by the NPDES permit.** Temporary stabilization must be initiated within 7 days of last disturbance on any disturbed area of the site if it will not be further disturbed within 14 days of last disturbance. Permanent stabilization must be initiated within 7 days of reaching final grade.

- The outlet structure of the sediment basin resembled that of a sediment pond rather than that of a sediment trap, which was the sediment control basin indicated on the SWP3. (Figure 1)The SWP3 will need to be edited to show a sediment pond outlet structure and include necessary calculations of the sediment storage zone and dewatering zone, in addition to the calculation of the drawdown time and an appropriately sized orifice, as opposed to the sediment trap that the SWP3 currently shows.
- It appears that the sediment trap discharges into a wetland behind the property. (Figures 2+3) **Please note that a separate permit from the Army Corps of Engineers is required to discharge into a wetland. In addition the permit reads that concentrated storm water runoff from BMPs to natural wetlands shall be converted to diffuse flow before the runoff enters the wetlands. Discharge should be released such that no erosion occurs downslope. Level spreaders may need to be placed in series, particularly on steep sloped sites, to ensure non-erosive velocities.** By extending the current rip rap to resemble a level spreader, this requirement can be met.
- **Non-sediment pollution controls require repair and maintenance as per the NPDES Permit.** The concrete washout pit did not have a plastic liner. A plastic liner is essential in preventing an unauthorized discharge of wastewater to the environment. **ALL concrete wash out is to occur ONLY at the washout pit location.** (Figure 5) Runoff from the concrete mixing area must be collected either by creating a berm around the area or by grading the area toward the concrete washout pit. There was no trash dumpster on site at the time of our inspection. Note that trash must be placed in a covered dumpster. (Figure 4)

Please adjust your SWP3 to account for any changes that need to be made and submit any amendments to the Ohio EPA **with a letter of response indicating any corrective changes to be received no later than August 2, 2013.** In addition, please send your **3 most recent weekly inspections** either by fax (330) 963-1128 or by email. If you have any questions, email me at [Josh.Bewley@epa.ohio.gov](mailto:Josh.Bewley@epa.ohio.gov) or contact me at (330) 963-1128. If unavailable, you can also contact Dan Bogoevski at [Dan.Bogoevski@epa.ohio.gov](mailto:Dan.Bogoevski@epa.ohio.gov) or (330) 963-1145.

Sincerely,



Josh Bewley  
Assistant to the District Engineer  
Division of Surface Water

JB:ddw

cc: Chris Hartman, Chagrin Valley Engineering  
Ken Spitzer, 620 Construction  
Kevin Hurst, Mayor, Village of Walton Hills  
ec: Jeff Mauer, 620 Construction ([jmauer@620corp.com](mailto:jmauer@620corp.com))  
Dan Bogoevski, DSW, Ohio EPA, NEDO



Figure 1: Outlet structure is not complete. It resembles that of a sediment pond rather than a sediment trap.

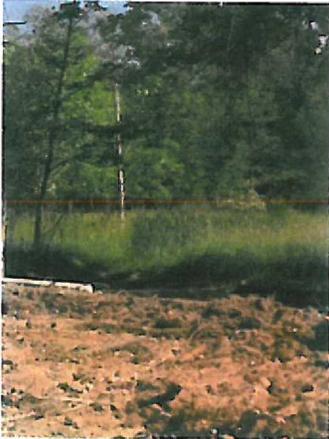


Figure 2+3: Discharge into a wetland requires a level spreader.

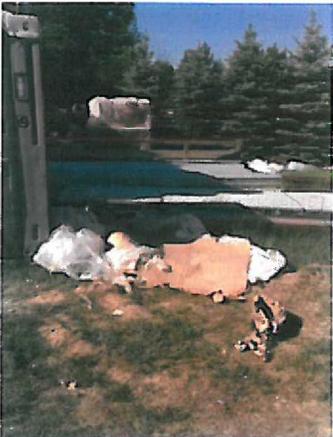


Figure 4: Trash must be in a covered dumpster.

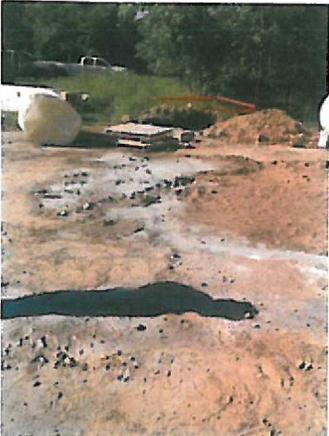


Figure 5: Cement washout is to occur ONLY in a cement washout pit, containing a plastic liner.