



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

Re: **Notice of Violation**

Mercer County
Wenning Acres Subdivision 3rd Addition
Wenning Acres Subdivision 4th Addition
Storm Water Construction
Permit No. 3GC03080*AG
Permit No. 3GC02346*AG

July 10, 2013

Mr. Raymond Wenning
Wenning Acres Inc.
706 North Second Street
Coldwater, Ohio 45828

Dear Mr. Wenning:

On June 13, 2013, I performed an inspection of the construction site for the Wenning Acres Subdivision 3rd and 4th Additions, Robert Street and Elm Street, Village of Coldwater, Mercer County. The purpose of this visit was to evaluate compliance of the sites with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity also known as the Construction General Permit (CGP). The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

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

1. At the time of the inspection, all streets, curbs and utilities had been installed. There were numerous homes that have been constructed and finished.
2. The Storm Water Pollution Prevention Plan and inspection logs were unavailable for review.
3. There is currently a house being built at 600 Robert Street. The lot has not yet been stabilized and there is sediment from the site in the street. Numerous other undeveloped lots in these two Additions do not have a 70% permanent vegetative cover. *This is a violation of Part III.G.2.b. of the CGP, which requires stabilization of any area that will remain undisturbed for 21 days.* Stabilization is to be completed as soon as possible.

Mr. Raymond Wenning
July 10, 2013
Page Two

4. Until all lots are stabilized, sediment and erosion controls must remain in place. There was no inlet protection on catch basin in front of the home at 600 Robert Street. *This is a violation of Part III.G.2.d.iv of the CGP, which requires inlet protection to minimize sediment laden water entering active storm drain systems.*
5. These two additions comprise a construction site of over 12 acres. A construction site of this size is required by the CGP to have a post construction best management practice (BMP) that will meet Part III.G.2.e of the CGP. I did not observe any post construction BMP during my inspection.

Within 15 days of the date on this letter, please submit to this office **written notification** of 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 also submit your Storm Water Pollution Prevention Plan for review, including all post construction specifications and details used to design post construction BMPs

If you have any questions, you may contact me at (419) 373-3016 or by e-mail at patricia.tebbe@epa.ohio.gov.

Sincerely,



Patricia A. Tebbe, P.E.
Division of Surface Water

/jlm

pc: Mercer County SWCD
Mercer County Engineer
Follow-up file

ec: Tracking