Ohio EPA
40 years and moving forward

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

July 17, 2013

Mr. Tom Smith
Herman & Kittle Properties Inc.
5716 North Hermitage #2
Chicago, IL 60660

RE: Beacon Pointe Development; NPDES Permit # 1GC04168*AG; Compliance Inspection Findings and Notice of Violation

Dear Mr. Smith:

On Wednesday, July 10, 2013, I inspected the Beacon Point Development site in Hamilton, Ohio, to determine compliance with the site's NPDES construction site storm water discharge permit. I did not speak with anyone at the site during the inspection.

Based on my observations, there is a violation of the site's storm water discharge permit;

Part III.G.2.d.iv: Sediment Control Practices: Inlet Protection

Storm drains located in the vicinity of the newly constructed town houses were observed to be inadequately protected. Inlet protection has been installed which consists of a geotextile fabric placed underneath the storm drain grate, but it is not effective. The intent is to block the storm inlet so that water ponds in front, allowing suspended sediments to settle out. The structure of the storm drain inlets makes it difficult for the geotextile fabric to protect all sides of the storm drain. The photographs included at the end of this letter document the unprotected sides of several storm drains on the site. A few storm drain inlets were not protected at all or were entirely covered in dirt which is a violation. Refer to ODNR's Rainwater and Land Development Manual (chapter 6 section 4 pages 35-43) for information on effective inlet protection methods. Here is the web link: http://www.dnr.state.oh.us/tabid/9186/default.aspx.

Inlet protection is required for storm drain inlets at construction sites when storm sewers do not drain to a sediment pond or basin. The storm sewer system on this site drains into the Great Miami River, which is a state of Ohio waterway. Sediment laden water leaving an active construction site and draining into a state waterway is a violation of the NPDES permit

Stabilizing the barren soil on site within seven days of the latest disturbance will prevent any sediment from entering the storm sewer. As long as the site remains barren, I would

suggest replacing the geotextile fabric underneath the storm drain grates with dandy bags until bare soils have been permanently stabilized.

Please explain in your written response to this letter what measures will be taken to minimize the loss of eroded sediments into the storm sewer system. In addition, please provide within 14 days of receipt of this letter the following information:

1. A Copy of the site's Storm Water Pollution Prevention Plan (SWP3).
2. Copies of sediment control inspections kept for the project since April 1, 2013.

If you have any questions regarding the NPDES permit you can contact me at (937) 204-1002 or via email at james.schwieterman@epa.ohio.gov.

Sincerely,

James Schwieterman
Storm Water Group
Division of Surface Water

JS/kb

Enclosed: Inspection Sheet

ec: Allen Messer, P.E., City of Hamilton

Ohio EPA DSW Storm Water Section, Construction Site Visit Information Form

Inspector initials: JS **Visit date:** 7/10/2021 **Permit #** 1GC04168*AG

Site Name: Beacon Pointe Phase 1 - Development

Site Address: South Front Street Hamilton, OH Butler Co.

People Contacted On Site: Did not locate Contractor / Cons. Manager on Site

Phone: _____ E-mail: _____

1. Did you see the following on site?

ITEM	YES	NO	Not Requested	Comments
NOI			✓	Did not locate construction
Coverage Letter			✓	Manager / Contractor on site
SWP3			✓	
Inspection Records			✓	
Contractor & Subs signature document			✓	

2. Acreage Disturbed: 5.8

3. Site Status: Clearing/grubbing Rough Grading (Storm sewers in)

Streets in (Utilities installed) (Final Grade) Final stabilization

4. Are BMPs needed: Yes, Inlet Protection on Storm Drains

5. Are BMPs effective? All (Some) None No BMPs Use Dandy Bags

Explain: Most Inlet Protection devices (Geotextile Fabric under storm drain grate) need maintenance or replaced. They also are ineffective at preventing sediment laden water from flowing under the Fabric

6. What post construction controls are shown on the SWP3? N/A

Storm Sewer System w/ catch basins drain into the Great Miami River

7. Were Photos taken & saved? Yes 8. Was an NOV issued? Yes

Additional notes/comments: Ask for SWP3 + Inspection Records

- Numerous Inlet protection Devices not Maintained.
- Storm Drain Inlets covered in dirt or silt material has quantified on storm drain.
- Seen a few dandy bags but were not installed properly.
- Silt Fence under storm drain grates need maintained/replaced.
- Apply different inlet protection device until barren soil is permanently stabilized.


Ripped Geotextile
Fabric (Toilet protection)
1


Not maintained/Not
Installed Properly
2


Dirt/Soil covering
Storm Drain and opening
3


Weeds Maintained
or Replaced.
4


No Inlet
Protection
5