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

August 7, 2013

RE: LORAIN COUNTY
CITY OF AVON
CONSTRUCTION STORM WATER
PERMIT NO: 3GC05972*AG
ARLINGTON PLACE SUBDIVISION NO 6

John Eavenson
K Hovnanian Oster Homes LLC
6150 Park Square Dr.
Lorain, OH 44053

Dear Mr. Eavenson:

On Thursday July 25, 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 #3GC05972*AG. Accompanying me on my inspection was Dean Stoll of the Ohio EPA Division of Surface Water. Our records indicate that Oster Construction Inc. was granted coverage to discharge storm water under the general NPDES permit for construction activities on June 29, 2012.

Upon our inspection of site, the following deficiencies were noted:

- **Stabilization, i.e., seeding and mulching, has not been initiated as required by the NPDES permit.** (**Figure 1&2**) 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. **Stabilization is required near the water level on the sediment pond, on the soil stockpile, and on any are at final grade.**

- **Silt fence has not been installed in a functional manner or has not been maintained as required by the NPDES Permit.** (**Figures 3,4&5**) All sediment controls, including silt fence, must be capable of ponding runoff in order to settle sediment. Silt fence must trenched and backfilled and the joint stakes of the silt fence must be connected by twisting the stakes together prior to staking them into the ground. **Please ensure that all joints are twisted together and repair silt fence so that it is functional.** Silt fence must remain in place until the upslope contributing drainage area has reached final stabilization, i.e., a vegetative growth density of 70% or greater has been achieved.

- **Storm drain inlet protection has not been constructed per specifications contained in the SWP3.** (**Figures 6&7**) Yard inlet protection was constructed simply by encircling drains with silt fence. This has resulted in failed storm drain inlet protection. Please note that geotextile is to be supported by a wooden frame and cross braces

constructed of 2"x4"s as well as wire mesh. The jute/coir matting placed over top the curb inlets are not an effective form of inlet protection. They are designed for erosion control, not sediment control. Please review the specifications contained in the SWP3 and in ***Rainwater and Land Development***, *Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (Ohio Department of Natural Resources, 2006), and install/repair inlet protection to meet these standards.

- **Non-sediment pollution controls require repair and maintenance as per the NPDES Permit.** (**Figures 8,9&10**) Opened bags of concrete must be covered as to prevent discharge of wastewater. Trash dumpsters on site must be covered with either a lid or a tarp in order to prevent the generation of leachate.

- **The NPDES permit states, if feasible; sediment settling ponds shall be dewatered at the pond surface using a skimmer or equivalent device.** The sediment pond north of the site, where the site drains to, did not have a skimmer installed at the time of our inspection.

- A stretch of silt fence on the western side of the site cuts through a wetland. (**Figure 11**) Please note that placement of fill in into a wetland requires a permit from the U.S. Army Corps of Engineers, a 401 Water Quality Certification, and/or an Isolated Wetland permit.

Please adjust your SWP3 to account for any changes that need to be made **along with a letter of response indicating any corrective changes to be received no later than August 20, 2013.** If you have any questions, e-mail me at 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 or (330) 963-1145.

Sincerely,

Josh Bewley
Assistant to the District Engineer
Division of Surface Water

JB:bo

pc: Rob Knopf, City Engineer, City of Avon
Tracy Workley, Storm Water Inspector, City of Avon
Brett Elek, Superintendent, Oster Homes
Mark Heffernan, Assistant Community Construction Manager, K. Hovnanian Homes
James A Smith, Mayor, City of Avon

ec: Dean Stoll, Division of Surface Water (Dean.Stoll@epa.ohio.gov)
Dan Bogoevski, Division of Surface Water (Dan.Bogoevski@epa.ohio.gov)

Figures 8,9&10: Concrete bags must be covered; putting a lid or tarp over the dumpster helps prevent leachate from forming and discharging.

Figure 11: Additional permits are required to place fill in a wetland.

Figures 1&2: Stabilization needed along the pond perimeter and on the edges of the soil stockpile.

Figures 3,4&5: Silt fence is to be tied off at the ends; fence East and West of the site require repair.

Figures 6&7: Inlet protection not built to specification; jute mat is an erosion control, not a sediment control.