



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

Re: **Notice of Violation**
Lucas County
Cranes Landing Senior Homes
Construction Storm Water
Facility ID No. 2GC02910

August 21, 2013

Ms. Kim Cutcher
United North Corporation
3106 Lagrange Street
Toledo, Ohio 43604

Dear Ms. Cutcher:

On June 3, 2013, Zachary Titkemeier and Tom Wilkins inspected Cranes Landing Senior Homes at 3315 Mayo Street, Toledo (photos taken). The purpose of their 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. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111.

It appears that construction activities at Cranes Landing Senior Homes are complete. A finished building and paved parking area were present. A Notice of Termination (NOT) must be filed to relieve you of the obligation to comply with this general permit. An NOT may be filed if one or more of the following conditions have been met:

- Final stabilization has been established on all areas of the site for which the permittee is responsible. Final stabilization means that all soil disturbing activities at the site are complete and a uniform perennial vegetative cover of at least 70% density has been established over the entire site. All temporary erosion and sediment control measures have been removed, properly disposed of, and all trapped sediment has been permanently stabilized; or
- Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.

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The site did not yet meet these criteria. While some landscaping had been completed, soils had not been stabilized. Also, while inlet protection was present, sediment needed to be removed from it. *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.*

It was not apparent what post construction storm water management controls had been installed. The permit requires that post-construction Best Management Practices (BMPs) are installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Such practices may include, but are not limited to: storm water extended detention structures; retention structures; water quality swales; and bioretention areas.

Please send a written response describing what post construction storm water management practices are being/will be implemented at the site within 10 days of the date on this letter. Your reply should include the type(s) of practices, the basis for its design, and installation dates. In your response, please include the dates and method of stabilization applied to the bare soils onsite.

When all permit conditions have been met, you may file the NOT form. The NOT form and instructions can be found on our website: <http://www.epa.ohio.gov/dsw/storm/stormform.aspx>. NOTs must be mailed to Ohio EPA's Central Office within 45 days of when the above criteria are met.

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

Sincerely,



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

/jlm

ec: Patekka Pope Bannister, City of Toledo, Division of Environmental Services
Tracking