



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

Re: **Notice of Violation**
Allen County
Health and Fitness Education Center
Construction Storm Water
Facility ID No. 2GC02923*AG

August 21, 2013

Mr. Mustaq Ahmed
Bluffton University
One University Drive
Bluffton, Ohio 45817

Mr. Matt Ludwig
Thomas & Marker Construction Company
2084 U.S. 68 South
P. O. Box 250
Bellefontaine, Ohio 43311

Mr. Daryl Thompson
Don Snyder Excavating, Inc.
P. O. Box 201
Bluffton, Ohio 45817

Dear Messrs. Ahmed, Ludwig, and Thompson:

On July 15, 2013, Zachary Titkemeier and Tom Wilkins inspected the Bluffton University Health and Fitness Education Center on 205 Rosenberger Road, Bluffton (photos taken). The purpose of the 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 the Health and Fitness Education Center are complete. The building was finished and paved parking areas were present. Ohio EPA received an electronic copy of Drawing C3-11, Erosion and Sedimentation Control Plan from Mr. Matt Ludwig on July 16, 2013. A brief review showed some deficiencies. Detail drawings and notes were provided for using straw bales as a sediment control. Straw bales are not an accepted practice. General Notes, Item 2 stated that stabilization is to be applied when areas have been inactive for 45 days. This is incorrect. The timeframe is 21 days. *These are violations of Part III.G. of the permit.* A Notice of Termination (NOT) must be filed to relieve you of the obligation

Messrs. Ahmed, Ludwig and Thompson
August 21, 2013
Page Two

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.

Your site does not yet appear to meet all of the conditions mentioned above. Specifically, there were large bare areas with rill erosion observed on the pond banks. This area must be stabilized and may require erosion control matting for successful seed germination. Also, while a detention pond was present in the northeast corner of the project, it was not apparent if it had been designed to provide extended detention and provide treatment.

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. 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

cc: Mr. James R. Mehaffe, Village Administrator, Village of Bluffton
Tracking