



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

Re: **Notice of Violation**
Wood County
St. Clare Commons
Storm Water Construction

August 29, 2013

Mr. Rick Ryan
Rudolph Libbe Inc.
6494 Latcha Road
Walbridge, Ohio 43465

Dear Mr. Ryan:

On August 12, 2013, I inspected the St. Clare Commons Senior Living Facility at 12469 Five Point Road, Perrysburg, Wood County. 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, Facility ID #2GC03117AG. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Mr. Brian Liedel was present to provide information on the project.

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

1. At the time of the inspection, the building was up, some pavement and streets were paved, there was some landscaping on the west side of the building and there were three storm ponds in place.
2. At the time of the inspection, the Storm Water Pollution Prevention Plan (SWP3) and inspection logs were not reviewed.
3. There was a lot of litter around the construction trailers on the west side of the site. This is most obvious in the area between the AA Boos and Spieker Trailers. *This is a violation of Part III.G.2.g.i of the CGP. which requires that controls for non-sediment pollutants be contained.*
4. There is a rusty drum in the weeds behind the Spieker trailer. Identification of what this drum contained was not observed. *This is a violation of Part III.G.2.g.i of the CGP, which requires that controls for non-sediment pollutants be contained.*

5. There are three ponds on site. Each of these ponds receives storm water from the site; however, there are no appropriate construction outlets on any of these ponds. These ponds appear to be post-construction ponds. *This is a violation of Part III.G.2.d.ii of the CGP, which requires a sediment settling pond for areas that received concentrated storm water runoff. A sediment settling pond is to have a controlled dewatering device designed according to standards such as those found in the current edition of Ohio's Rainwater and Land Development manual.*
6. All along the south and east side of the building there is bare soil with some weed growth. *This is a violation of Part III.G.2.b.i. of the CGP, which requires at least temporary stabilization of disturbed areas when they are dormant for more than 21 days.*
7. Sediment is accumulating in the storm water ponds. The water in the pond on the east side is brown indicating that the sediment is not settling out. The outlet pipe of the pond on the north shows that sediment is being discharged from the pond.
8. Litter was observed in the field west of the site and the dumpster on the west side of the site was full and not covered. *This is a violation of Part III.G.2.g.i of the CGP, which requires that controls for non-sediment pollutants be contained.*
9. Concrete washout was observed on the west side of the site. This washout was not contained and was able to discharge off site. *This is a violation of part III.G.2.g.i of the CGP, which requires that no solid or liquid waste be discharge in storm water runoff. A designated concrete washout area is to be maintained that does not have a discharge.*
10. There is a swale on the west side of the site where sediment is accumulating. A silt fence was placed across the north end of the swale. However, the sediment is bypassing the silt fence and is capable of discharging to the new road side catch basins. *This is a violation of Part III.G.2.d of the CGP, which requires that concentrated storm water runoff be directed to a sediment settling pond.*
11. The drainage ditch along Five Point Road has been graded and has bare soil. *This is a violation of Part III.G.2.b.i of the CGP, which requires permanent stabilization within two days of any area at final grade that is within 50 feet of a surface water of the State. This drainage ditch is considered surface waters of the State.*
12. The catch basin at the west end of the Five Point Road drainage ditch does not have proper inlet protection. *This is a violation of Part III.G.2.d.iv of the CGP, which requires inlet protection.*

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13. While the entrance to the site is paved, the parking area is not and is not a proper construction entrance. Tracking of sediment was observed on Five Point Road. *This is a violation of Part III.G.2.b of the CGP, which requires that erosion control practices be in place that are capable of providing cover over disturbed soils.*

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 include the SWP3 including the detail drawings and specifications for post construction controls and all inspection logs for the past two months with your response.

Please be advised that failure to comply with the requirements of the CGP may be cause for enforcement action pursuant to ORC Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

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: Wood County Engineer
Wood County SWCD

ec: Brian Liedel, Superintendent
Tracking