



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

Re: **Notice of Violation**
Ashland County
Akbar Properties LLC
Construction Storm Water
Facility ID No. 2GC03302

August 21, 2013

Mr. Steve Bridgford
J & F Construction & Development Inc.
2141 State Route 19
Bucyrus, Ohio 44820

Dear Mr. Bridgford:

On August 7, 2013, Zachary Titkemeier and Tom Wilkins inspected Akbar Properties LLC at the northwest corner of Sugarbush Drive and State Route 250, Ashland (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. Mr. Chris Scott, site superintendent with J & F Construction & Development Inc., was present to provide information on the project.

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

1. At the time of inspection, construction at the site was nearing completion. A new building was present with the exterior complete and the interior being dry walled. The edges of the site had been recently graded and the parking lot had been paved the day prior to the visit.
2. No Storm Water Pollution Prevention Plan (SWP3) had been developed. However, there was a section of the site plans labeled special considerations that addressed some storm water related topics. *This is a violation of Part III. A. of the permit.*
3. No dedicated storm water inspection logs were kept. However, special consideration inspections did include the inspection of some storm water related practices. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. Inspections must include: disturbed areas, material storage areas, all sediment and erosion control measures, discharge locations, and all vehicle access points. Records must include: inspector name and qualifications, inspection date, observations, a certification that the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. *This is a violation of Part III. G.2.i. of the permit.*

Mr. Steve Bridgford
August 21, 2013
Page Two

4. No sediment controls were in use around the perimeter. *Permit Requires:* Structural practices shall be used on all sites remaining disturbed for more than 14 days. They shall be implemented prior to grading and within seven days from the start of grubbing. They must remain functional until the upslope area is restabilized. *This is a violation of Part III.G.2.d. of the permit.* Sediment controls must be installed.

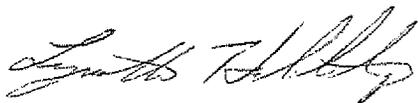
Please note that had sediment controls been installed before final grade, they should have remained in place until the upslope area was stabilized.

5. Storm drain inlet protection had not been installed. Geotextile had been wrapped around a couple of the catch basin grates; however, this is not an acceptable form of inlet protection. *Permit Requires:* Practices shall minimize sediment laden water entering active storm drain systems unless they drain to a sediment settling pond. *This is a violation of Part III.G.2.d.iv. of the permit.* I recommend that proper inlet protection be installed.
6. Please be aware that the SWP3 must contain a description of the post-construction Best Management Practices (BMPs) that will be installed during construction, including detail drawings, and the rationale for their selection. The rationale must address the anticipated impacts on the receiving stream's channel and floodplain morphology, hydrology, and water quality. Maintenance plans shall be provided by the permittee to the post-construction operator upon completion of construction activities. Such practices may include, but are not limited to: storm water detention structures; retention structures; flow attenuation by use of open vegetated swales and natural depressions; and infiltration practices. Velocity dissipation devices shall be placed at discharge locations and in channels to provide non-erosive flow velocity from the structure to a water course.

Within 10 days of the date on this letter, please submit to this office written notification as to the reasons for the above mentioned comments as well as 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 describe how the post construction storm water management requirements will be met for this project. Your reply should include the type(s) of practices you are implementing and the basis for their design.

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

Sincerely,



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

/jlm

ec: Shane Kremser, P.E.
Tracking