



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

Re: **Notice of Violation**
Huron County
Trilogy Nursing Home & Mercy Hospital
Construction Storm Water
Facility ID No. 2GC02979

August 21, 2013

Mr. Scott Hollinger
Trilogy Health Services LLC
1650 Lyndon Farm Court Suite 201
Louisville, Kentucky 40223

Dear Mr. Hollinger:

On June 20, 2013, Zachary Titkemeier and Tom Wilkins inspected Trilogy Nursing Home and Mercy Hospital, Willard (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. Mr. Tim DeMonte, Mercy Facility Project Manager, was present to provide information.

At the time of inspection, construction appeared to have been completed. A finished hospital, nursing home, and paved parking area were present. Several extended detention basins were present to meet post construction requirements. The site had been sodded and seeded. Grass was growing, but it appeared that the initial attempts were not successful in several areas. Bare patches were observed in the lawn west of the hospital and the bottom of the detention ponds. Areas of bare ground and sparse grass were noted in the swale south and southwest of the nursing home.

Significant erosion was observed from the driveway curb cut on the south side of the nursing home. Also some of the catch basins in the yard had been clogged with sediment and straw, and require maintenance, such as the one on the south side of the nursing home. *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.* The bare areas and areas of sparse growth must be reseeded. Catch basins must be cleaned and sediment stabilized.

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It was also observed that a large area of the pond bank below the helicopter pad was bare and also had dead vegetation. Mr. DeMonte attributed this to the urea used to deice the pad. *This discharge of urea is a violation of Part III.G.2.g.i of the permit and possibly of ORC 6111.* Please advise what steps you are taking to prevent the discharge of urea.

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.

Once a uniform perennial vegetative cover (evenly distributed, without large bare areas) with a density of at least 70% cover has been established and the maintenance on the catch basins is complete, you may terminate permit coverage. 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.

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. 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: Tim DeMonte, Mercy Facility Project Manager
Brian Humphress, Willard City Manager
Tracking