



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

Re: **Notice of Violation**
Putnam County
Love-Heitmeyer Funeral Home
Construction Storm Water
Facility ID No. 2GC03460

August 21, 2013

Mr. Jeff Heitmeyer
Heitmeyer Funeral Home
916 East Main Street
Ottawa, Ohio 45875

Dear Mr. Heitmeyer:

On July 23, 2013, Tom Wilkins and Zach Titkemeier inspected the Love-Heitmeyer Funeral Home at 106 Progressive Drive, Pleasant Township (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.

There was no site manager present to provide information on the site. However, a construction worker on site directed the inspectors towards a tool shed with the storm water pollution prevention plan (SWP3) in it. Ohio EPA has no record of other permittees for this project.

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

1. At the time of inspection, construction at the site was ongoing with the structure frame complete. The roof was complete and the exterior had been wrapped. The covering over the entrance way was being finished during our inspection. A stone base had been laid across the parking lot. There was no evidence of sediment tracking. Utilities were being installed along the south side of the site.
2. A SWP3 had been developed for the site and was available. A general overview indicated some deficiencies, such as no detailed drawings showing the design of the post construction best management practices and no log documenting grading and stabilization activities. This information is a required component of the site's SWP3. Under Order of Construction, Item 12, it states that stabilization will be applied in areas that remain inactive for 45 days. This is incorrect. The permit requires stabilization to be initiated in any area that remains inactive for 14 days. *These are violations of Part III.G. of the permit.*

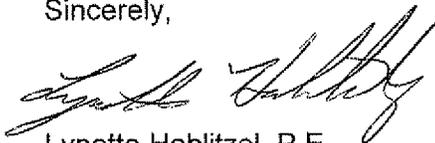
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3. No sediment controls were apparent. A retention pond was located adjacent to the site, but it appeared to be in the process of being filled in. It was unclear whether the pond was part of this project, since it was not in the drawings, but the SWP3's Order of Construction mentioned ponds. Drainage did not appear to be directed to the pond. *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.*
4. Topsoil stockpiles were present on the west side of the construction site. No temporary or permanent stabilization has been established. It appears the timeframe for stabilization may have been exceeded. *Permit Requires:* Portions of the construction site that will be inactive for more than 14 days must have temporary stabilization initiated within the first seven. *Failure to do so is a violation of Part III.G.2.b.i. of the permit.* At a minimum, temporary stabilization must be applied and maintained on all bare idle areas.
5. In the onsite SWP3, a vegetated swale was mentioned as the post-construction storm water management practice. During the inspection, staff saw no evidence of a swale as indicated in the plans. The permit requires that post-construction storm water management practices be installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Please include the design specifications of your chosen post-construction storm water management practice as well as an estimated date of installation.

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

/jlm

ec: Terrence Recker, P.E., P.S.
Tracking