



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

September 6, 2013

RE: SUMMIT COUNTY
CITY OF NORTON
CONSTRUCTION STORMWATER
SPEEDY WASH & LUBE
PERMIT NO: 3GC06250*AG

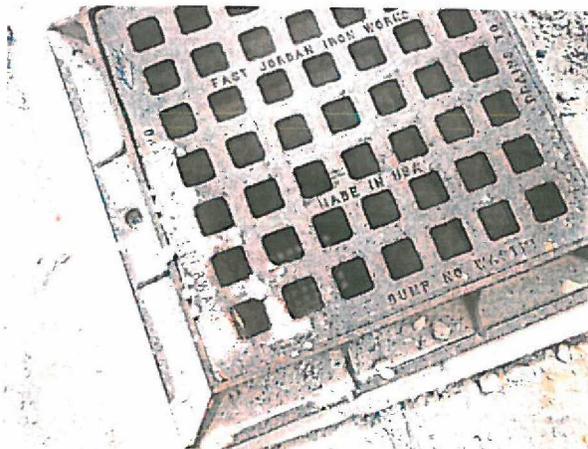
NOTICE OF VIOLATION

Duane Huff
Architectural Design Studios, Inc.
620 E Smith Road
Medina, OH 44256

Dear Mr. Huff:

On August 15, 2013, Ohio EPA conducted a compliance inspection for stormwater best management practices (BMPs) at the above referenced construction site. No one was available to meet walk the site. Our records indicate that Architectural Design Studios, Inc. obtained coverage under the Ohio EPA General Stormwater National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC06250*AG on December 10, 2012 and that Fortney & Weygandt, Inc. obtained coverage as a Co-Permittee on March 19, 2013.

The construction appears to be occurring without the use of any sediment or erosion controls, a violation of Part III.G.2 of the Ohio EPA Permit No. OHC000004. Sediment controls are to be installed prior to construction in accordance with Part III.G.2.d. **No further construction shall take place before controls are in place.**



Sediment control devices should at a minimum include the proper protection of existing and proposed inlets, a rock construction entrance and perimeter silt fence to prevent sediment from leaving the site.



Temporary stabilization must be initiated within seven days of last disturbance on any disturbed area of the site if it will not be further disturbed within 14 days of last disturbance. Permanent stabilization must be initiated within seven days of reaching final grade. No stabilization was evident at the site.

In accordance with Part III.G.2.i of the NPDES permit, **stormwater inspections must occur** at a minimum of once every 7 days and within 24 hours of a 0.5" or greater rainfall during a 24 hour period. A checklist must be completed and signed by the inspector and kept on site. Inspection records must be maintained for three years following the submittal of a Notice of Termination (NOT).

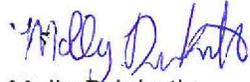
As per the NPDES permit, the stormwater pollution prevention plan (SWP3) shall include the certification in Part V.H., be signed in accordance with Part V.G., and be retained on site during working hours. The SWP3 is a "living document"; this means that everything on site must be shown on the plans and everything shown on the plans should be found on site. If changes to the site occur, please be sure that this is marked on the SWP3 on site.

This project must also provide **post-construction water quality practices** to comply with Part III.G.2.e of the NPDES permit. Table 2 on Page 21 of the NPDES permit identifies the standard post-construction BMPs approved for use throughout the state. The SWP3 should clearly identify which of these practices is being implemented and describe the installation schedule. A detailed drawing of the post-construction structures including elevations and storage volumes must be provided within the SWP3. A copy of the long-term maintenance plan must also be provided to the party responsible for long-term maintenance of the post-construction BMP(s). This drawing should clearly indicate the size of the drainage area (which will probably be greater than the disturbed area) to the structure and the imperviousness or runoff coefficient used to calculate the Water Quality Volume (WQv).

Please be aware that failure to install sediment and erosion controls in accordance with specifications contained in the SWP3 is a violation of Part III.G.2 of the NPDES permit. Failure to maintain and repair sediment and erosion controls is a violation of Part III.G.2.h of the NPDES permit. Failure to provide post-construction BMPs to treat the WQv is a violation of Part III.G.2.e of the NPDES permit. **Failure to comply with the NPDES permit is a violation of Ohio Revised Code 6111.04 and 6111.07.** Violations of ORC 6111 are punishable by fines of up to \$10,000 per day of violation.

Please provide me with a letter of response indicating the actions taken to address the violations and deficiencies noted herein. Include a copy of the SWP3 including any amendments. Your response should be received **no later than September 20, 2013**. If you have any questions, please contact me via email at molly.drinkuth@epa.ohio.gov or at (330)963-1215.

Sincerely,



Molly Drinkuth
Environmental Engineer
Division of Surface Water

MD/cs

cc: Mike Cunningham, Project Superintendent, Fortney & Weygandt, Inc.
Mike Zita, Mayor, City of Norton
Russell Arters, Superintendent of Building and Zoning, City of Norton
Cindy Fink, Summit County Soil & Water Conservation District