



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

Re: **Notice of Violation**

Lucas County
UT Ottawa River In-Stream Improvements
Construction Storm Water
Facility ID No. 2GC03431

September 9, 2013

Mr. Patrick Lawrence
University of Toledo
Department of Geology & Planning
Mail Stop 140
Toledo, Ohio 43606

Dear Mr. Lawrence:

On August 6 and 22, 2013, I visited the UT Ottawa River In-Stream Improvements project at 2801 Bancroft Street, Toledo (photos taken both dates). The stream improvement project currently has coverage under the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity. You and Mr. Dave Derrick, US Army Corps of Engineers, were present to provide information on August 6, 2013.

At the time of the August 6 inspection, lunkers had been placed along the Ottawa River. A couple of locked logs with keys had been installed. Invasive species had been removed along the riverbank. A silt curtain had been used in the Ottawa River downstream of the work area; however, there was no noticeable instream turbidity at the time of my visit. The project appeared to be in compliance.

During my August 22 inspection, all major earth work had been completed. Bare areas had been hydroseeded but nothing had yet germinated. There was a catch basin on the east end of West Towerview Boulevard, which was the staging area for the larger stone (a stone stockpile still existed). The pavement in this area was covered in dirt and there was no inlet protection. *Not having inlet protection on active storm drains is a violation of Part III.G.2.d.iv. of the permit.*

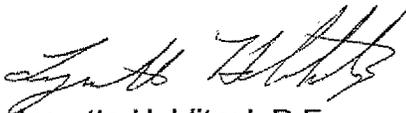
On August 23, 2013, I sent an e-mail about this issue to Doug Collins and Tim Niederkorn (both University of Toledo staff), who forwarded it to you. Your e-mail reply indicated that University of Toledo Facilities would soon haul the extra rock away for storage at their secured bins at the Plant Operations facility, and University of Toledo Grounds would cover the drain. This plan is acceptable. I would also recommend sweeping this section of West Tower Boulevard after grass has become established and prior to removing inlet protection.

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Once a uniform perennial vegetative cover (evenly distributed, without large bare areas) with a density of at least 70% cover has been established, you may terminate permit coverage. The Notice of Termination (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.

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: Mr. Douglas Collins, University of Toledo
Mr. Tim Niederkorn, University of Toledo
Patekka Pope Bannister, City of Toledo Division of Environmental Services
Tracking