



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

November 14, 2011

RE: CUYAHOGA COUNTY
CITY OF BROADVIEW HEIGHTS
HIGHLAND DEVELOPMENT UBDIVISION
CONSTRUCTION STORM WATER

Kevin Cody
Highland Development Corporation
23701 Lake Shore Blvd.
Euclid, OH 44123

Dear Mr. Cody:

On November 1, 2011, I reviewed the above-referenced development located at 8352 Wyatt Road to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Construction Activities #3GC00776*AG. In conducting my review, I consulted with the Cuyahoga Soil & Water Conservation District (SWCD) to determine the status of construction activities. Our records indicate that you were granted coverage under the NPDES permit on April 26, 2004.

Cuyahoga SWCD reports that the planned construction activities never occurred. Please be aware that Ohio Administrative Code 3745-38-02(E)(2)(a)(i) limits NPDES permit coverage for storm water associated with construction activities to a period of five (5) years. The 5-year period for this project expired on April 26, 2009. As such, should this project become viable in the future, the existing NPDES permit coverage is not valid. Highland Development Corporation or successor developer would have to obtain a new NPDES permit by submitting a new Notice of Intent (NOI) and permit fee. The storm water pollution prevention plan (SWP3) would have to meet the requirements in place at that time.

To remove this site from our list of active NPDES permits, please submit a Notice of Termination (NOT) to Ohio EPA. The form and instructions are available on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. Please submit the NOT no later than November 30, 2011.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,

Dan Bogoevski
District Engineer
Division of Surface Water

DB/cs

Cc: Gene Esser, Engineer, City of Broadview Heights
Lisa Vavro, Cuyahoga SWCD