



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

September 19, 2008

**Re: Belmont County
Windemere Properties
Storm Water Construction Activity
Notice of Violation
OGC01075*AG**

Mr. Christopher Dutton
P.O. Box 152
Bannock, Ohio 43972

Dear Mr. Dutton:

On July 22, 2008 I visited your site on Country Club Road. The purpose of the inspection was to determine the compliance of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of stormwater associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following areas need to be addressed:

1. Part III.G.2.d.ii of the permit requires concentrated runoff and runoff from drainage areas, which exceed the design capacity of silt fence or inlet protection, to be conveyed to a sediment settling pond. Sites over 10 acres must install a sediment pond. Sediment ponds must be capable of holding 67 cubic yards of storage per on site and off site drainage acre. Sediment must be removed from the sediment pond when the design capacity has been reduced by 40 percent (this is typically reached when the pond is half full). **Sediment ponds must be capable of retaining water. Make corrections to the pond to ensure the above requirement is met.**
2. Part III.G.2.d.iii of the permit requires silt fence to be installed on a level contour. Silt fence should be utilized in accordance with the specification of the Rainwater and Land Development manual. **Immediately repair or replace all silt fence that is down or needs to be trenched in.**

Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned Rainwater and Land Development manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Within fourteen (14) days of receipt of this letter, please submit to me at this office a written notification as to actions taken or proposed to eliminate violations of the permit. Your response should include the dates, either actual or proposed, for the completion of the actions. If you have any questions, please contact Aaron Wolfe at (740) 380-5277.

Sincerely,

 For Phil Webb

Philip Webb
Storm Water Section
Division of Surface Water

PW/dh