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9/29/11

Ohio

Environmental
Protection Agency

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

Certified Mail #91 7108 2133 3932 1838 5445

September 26, 2011

Gene Pirko
Westport Homes of Ohio
507 Executive Campus Drive
Suite #100
Westerville, OH 43082

Re: **Notice of Violation**
Chestnut Estates / Pickaway County

Dear Mr. Pirko:

This letter is written regarding the storm water inspection that I conducted on September 14, 2011, of the construction activities of Chestnut Estates located near Commercial Point, Ohio. Please consider this a formal notice of violation. The Agency understands that these construction activities are covered under the General Storm Water Permit Associated with Construction Activities. Based on my inspection, the following issues need to be addressed at the site:

Sediment and Erosion Controls:

There were several homes under construction in phase 2 and phase 3 during my inspection. Please install and/or maintain erosion controls around site immediately. Also, please stabilize the barren areas since most of the site is at final grade. Please see attached pictures.

Phase 3 did not have adequate erosion controls at the site along State Route 762. There was a turbid discharge from one area in Phase 3. The location was along State Route 762, near the intersection of Coontz Road and S.R. 762. Turbid discharges are a violation of your permit and state law. Please correct and install adequate erosion controls immediately. Please send me an electronic copy of your storm water pollution prevention plan to greg.sanders@epa.state.oh.us. Please see attached pictures.

Please install check dams with stone, silt fence and straw bales at least every fifty feet in the swale between phases 2 and 3 (just west of sediment pond). Please see attached pictures.

Please install a concrete wash-out pit and insure the concrete drivers are aware of its location.

The outlet from the sediment pond needs to be maintained. The joint in the black corrugated pipe is loose and is allowing sediment to directly discharge into the pipe. Please maintain all controls.

There was a container of grease near a storm water drain. Nearby was fresh oil and grease disposed of on the ground upslope of the storm water drain. Properly train staff in disposing of construction equipment fluids.

Central District Office
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 728 3778
614 | 728 3898 (fax)
www.epa.ohio.gov

Please be aware that the General Permit states that all barren areas which remain idle in excess of 21 days must be protected from erosion within seven days of the last earth disturbing activities. In addition, erosion protection must be implemented for all areas of final grade within seven (7) days. Most of the site appeared to be at final grade. Rills and gullies are forming due to the lack of controls and stabilization.

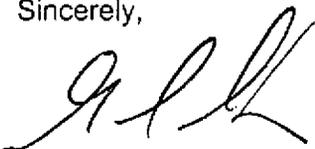
If any lots are sold to another developer, the new developer may need to complete and submit a lot notice of intent application. This is used when a portion of a construction site is bought and sediment and erosion control responsibility is transferred to the owner of the individual lot. This application may be obtained at the following weblink: <http://www.epa.state.oh.us/dsw/storm/stormform.aspx>.

The general contractor will need to complete and submit a construction storm water co-permittee notice of intent application. This application may be obtained at the following weblink: <http://www.epa.state.oh.us/dsw/storm/stormform.aspx>. The general contractors are considered an operator per the construction permit. "Operator" means any party associated with a construction project that meets either of the following two criteria:

1. The party has operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
2. The party has day-to-day operational control of those activities at a project which are necessary to ensure compliance with an SWP3 for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions). As set forth in Part II.A, there can be more than one operator at a site and under these circumstances, the operators shall be co-permittees.

If you have any questions regarding this letter or my inspection, please do not hesitate to call me at our Central District Office at (614) 728-3851.

Sincerely,

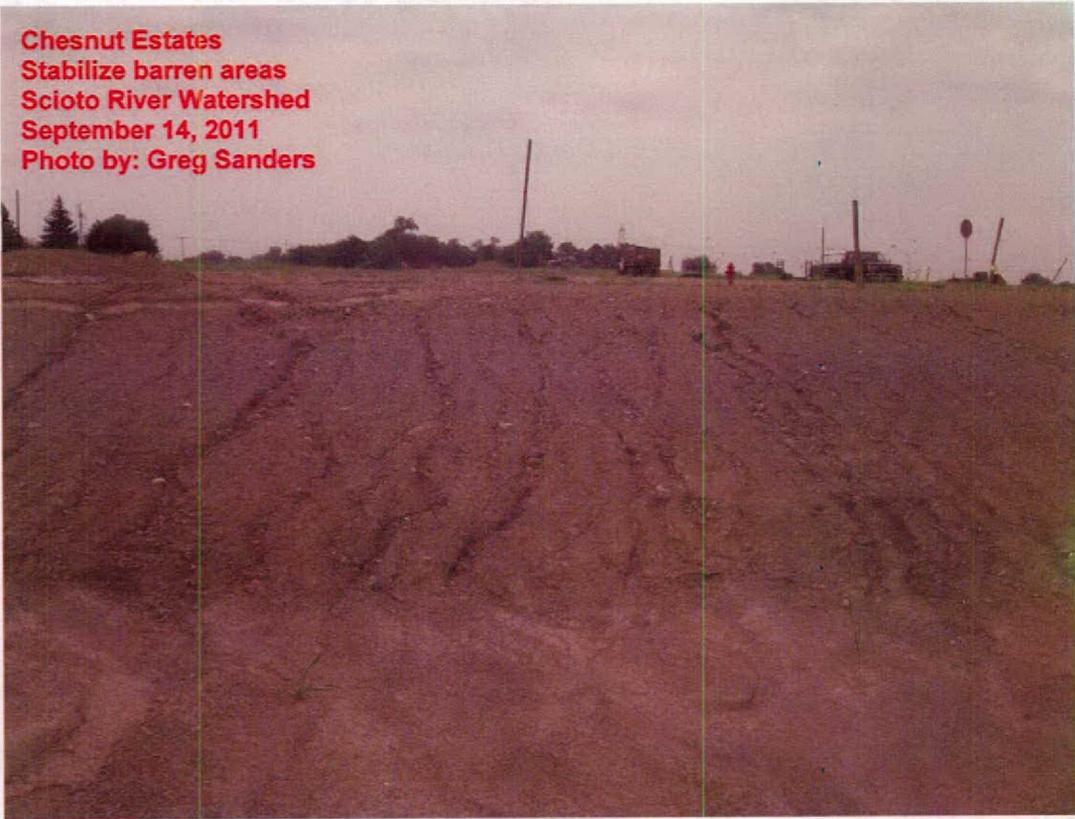


Gregory L. Sanders
Environmental Specialist
Division of Surface Water
Central District Office

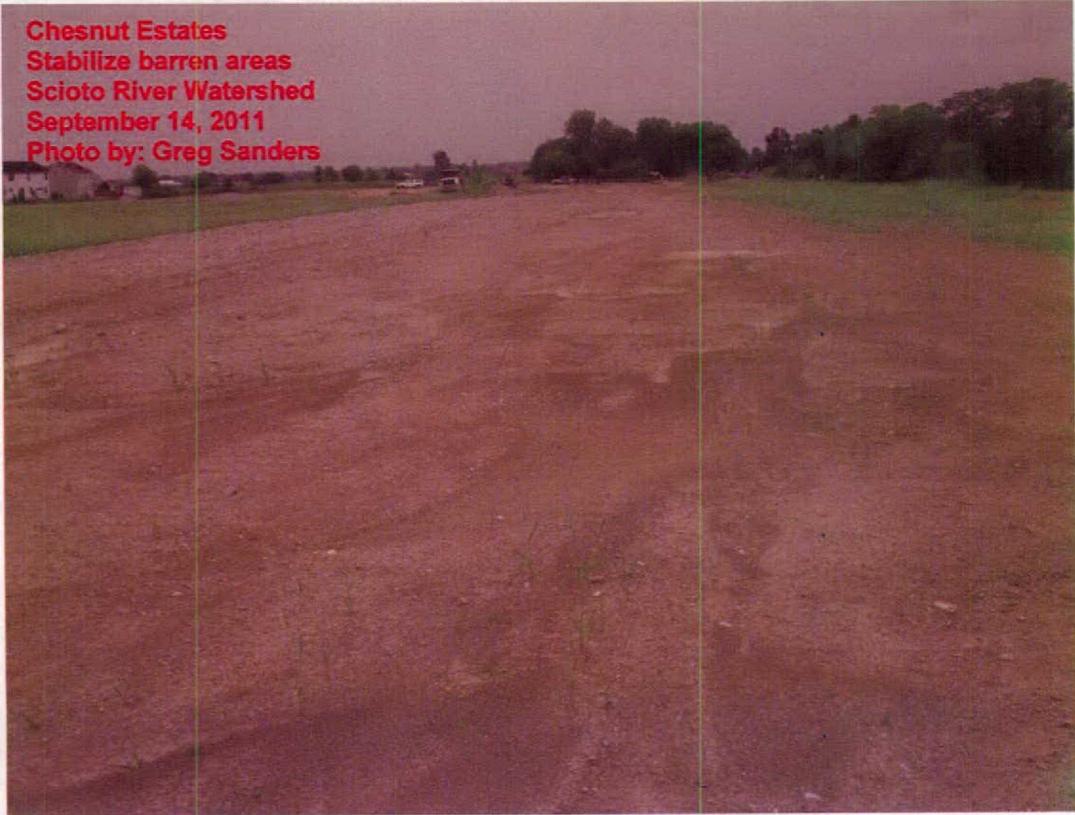
Enclosure

c: Jeff Bohne, DSW/CDO

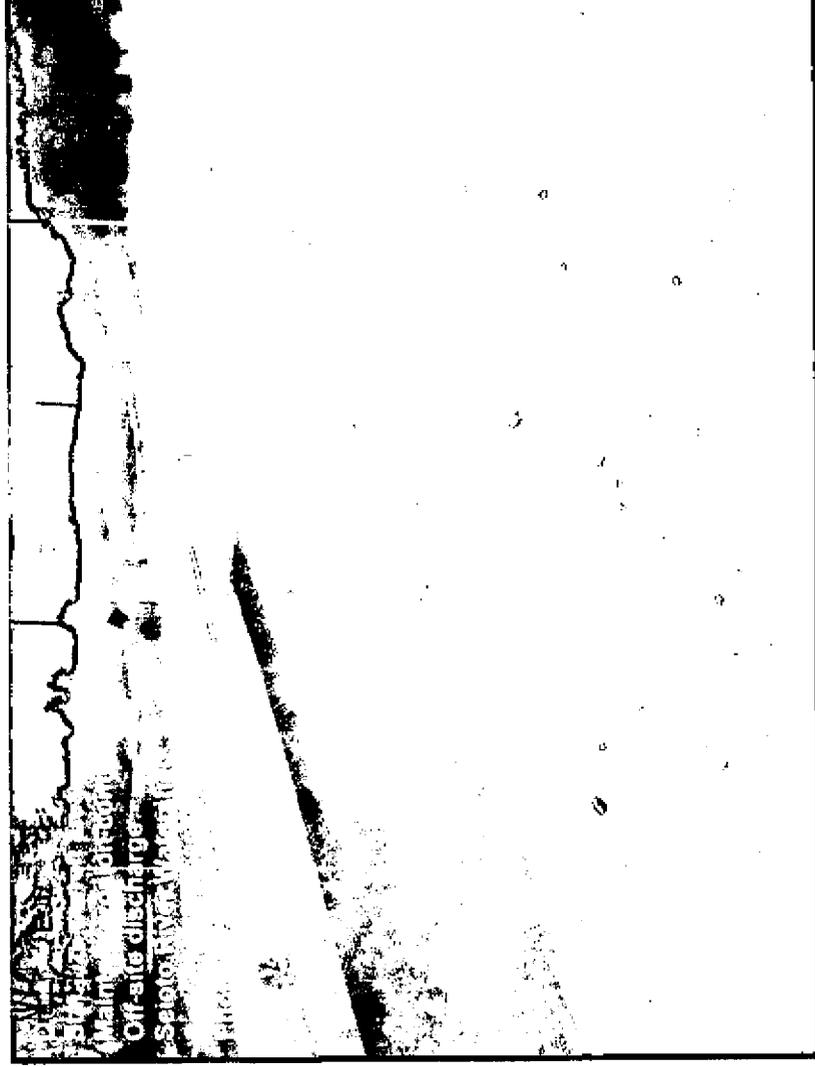
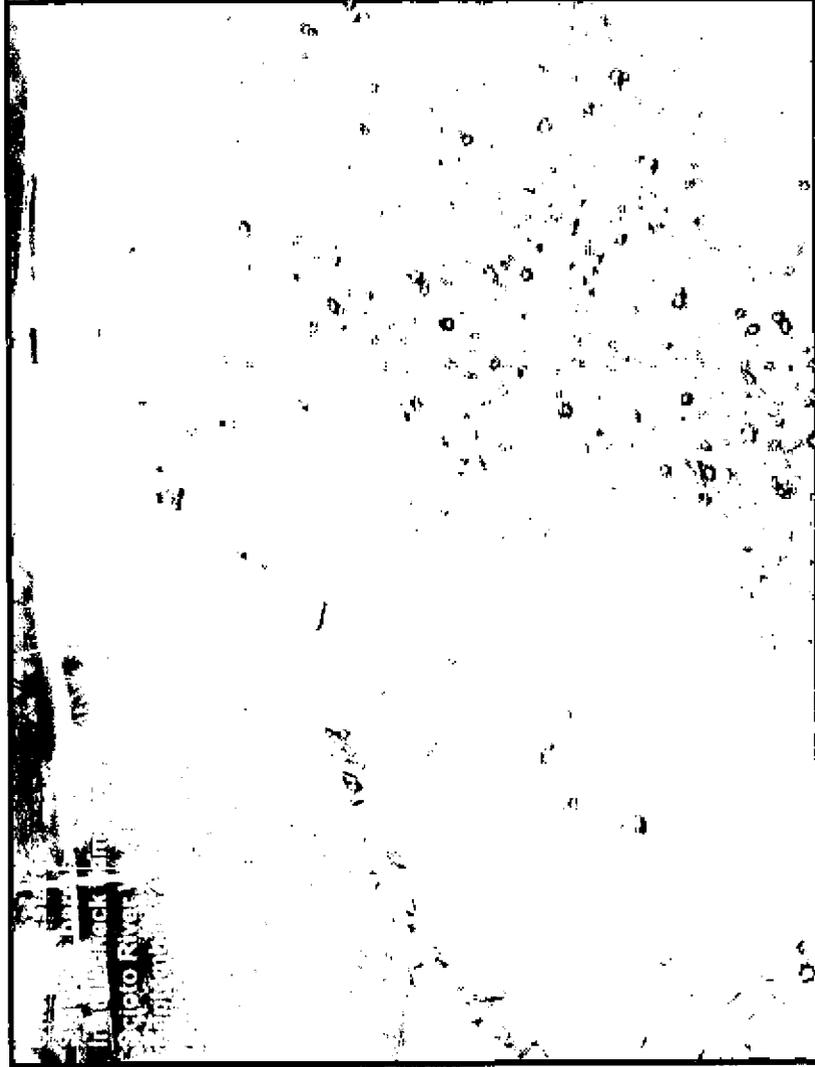
**Chesnut Estates
Stabilize barren areas
Scioto River Watershed
September 14, 2011
Photo by: Greg Sanders**



**Chesnut Estates
Stabilize barren areas
Scioto River Watershed
September 14, 2011
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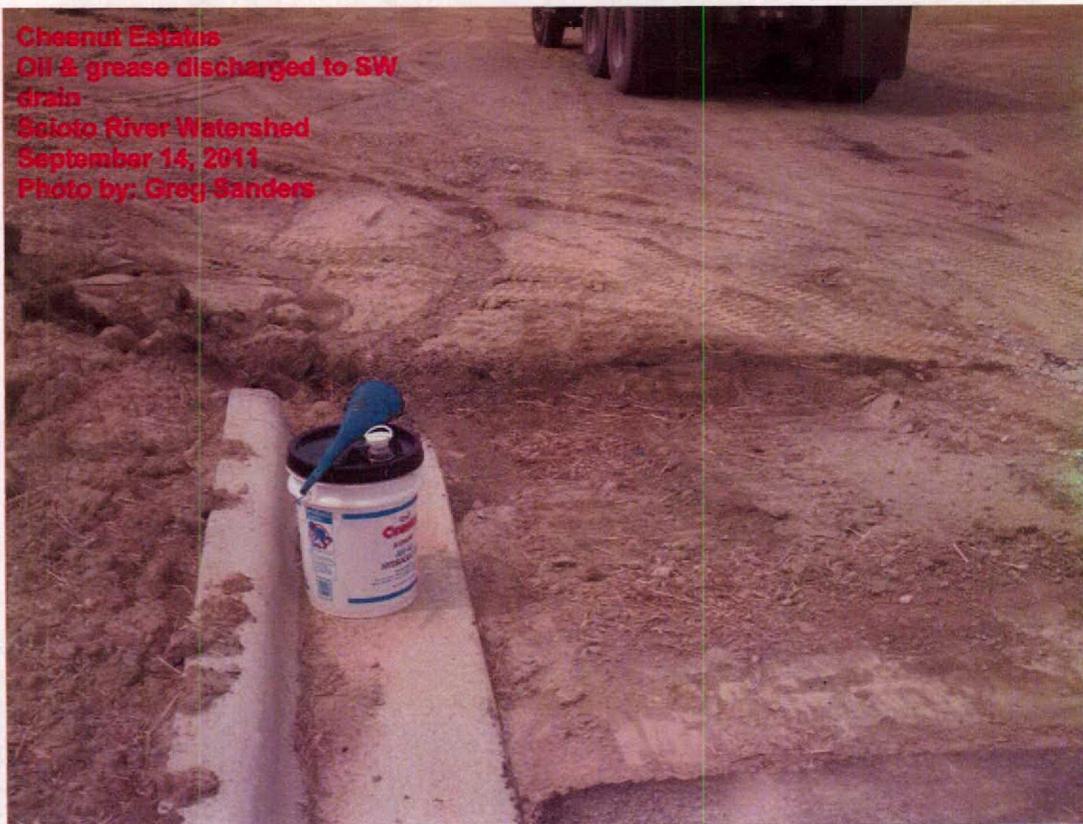




Chesnut Estates
Maintain sediment pond outlet
Scioto River Watershed
September 14, 2011
Photo by: Greg Sanders



Chesnut Estates
Oil & grease discharged to SW
drain
Scioto River Watershed
September 14, 2011
Photo by: Greg Sanders





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		Accepted at USPS Origin Sort Facility	September 28, 2011, 11:37 pm	COLUMBUS, OH 43218	

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