



Environmental  
Protection Agency

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

October 11, 2011

Lisa Dobberstein  
DiYanni Homes  
1537 Brice Road  
Reynoldsburg, OH 43068

**Re: Notice of Violation  
Rolling Acres / Fairfield County**

Dear Ms. Dobberstein:

This letter is written regarding the storm water inspection that I conducted at Rolling Acres, located along Elder Road, in the Village of Lithopolis, Ohio, on September 30, 2011. I understand that these construction activities are covered under the General Storm Water Permit Associated with Construction Activities. Please consider this a formal notice of violation. Based on my site inspection and the General Storm Water Permit, the following items must be addressed:

**Sediment and Erosion Controls:**

There was one active home building site at the intersection of Crestview Drive and Rolling Acre Drive. This active home site did not have erosion controls. Please install erosion controls around the active home site. Sediment-laden storm water is discharging off-site to a drainage ditch in the rear of the property. Sediment-laden storm water is also discharging to a storm water drain along Rolling Acre Drive. Please see attached pictures.

Please be aware 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. The barren areas should have seed and straw placed on to the barren areas. Please see attached pictures.

Please install erosion controls around the perimeter of the active building site such as straw waddles or silt fence. Also, install dandy bags on nearby storm water drains.

The General Permit requires the permittee to conduct inspections of all sediment and erosion controls every seven days or within 24 hours of a rain event equal to or greater than 0.5 inches. A log of the inspections and resulting corrective actions must be maintained on site available for review. All earth disturbing activities must be clearly documented in your inspection reports to ensure the temporary or permanent stabilization requirements are not violated. Please e-mail me a copy of the last two months of the inspection logs to my e-mail address at [greg.sanders@epa.ohio.gov](mailto:greg.sanders@epa.ohio.gov).

There was wastewater from the cleaning of paint brushes and buckets dumped on to the ground. Please see attached pictures.

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

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614 | 728 3898 (fax)  
[www.epa.ohio.gov](http://www.epa.ohio.gov)

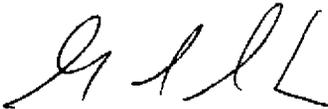
If you sold any lots to a developer (such as Iulianelli Custom Homes), the developer may need to complete and submit a lot notice of intent application. This is used when a portion of a construction site is bought and sediment and erosion control responsibility is transferred to the owner of the individual 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  
Storm Water Unit  
Division of Surface Water  
Central District Office

c: Jeff Bohne, Water Quality Supervisor, DSW/CDO  
Frank Iulianelli, Iulianelli Custom Homes 1886 Ivywood Ct., Pataskala, OH 43062