



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

March 18, 2010

Mr. Mark Schraffenberger
Director of Development
Dixon Builders
7924 Jessie's Way
Hamilton, Ohio 45011

RE: Notice of Violation, Fairfield Ridge Sections 1 & 2, NPDES permit # OHR111936; Sections 3, 4 & 5 NPDES permit # 1GC01253

Dear Mr. Schraffenberger:

On Thursday March 11, 2010, I inspected the Fairfield Ridge development to determine compliance with its NPDES construction stormwater discharge permit. Based on my observations, the site is in violation of the following portions of its permit:

Part III.G.2.b.i Stabilization

Two vacant lots on Arroyo Court are barren and unstabilized with minimal or no effective sediment controls in place. Lot 8631, which slopes toward a drainage channel that leaves the property, has been unstabilized and bereft of effective sediment controls for months. In the newest section of the plat, ground adjacent to a drainage swale leading from a daylighting culvert (located between lots 8699 and 8700) to a small creek was observed to be bare. Likewise for the area around a culvert that drains into a small wetland (according to the site plans) at the extreme north end of the site. Please explain why bare, unstabilized ground persists in inactive portions of the site (especially in areas where eroded sediments can easily leave the site), and what will be done to stabilize said areas as required by the site's construction stormwater permit.

Part III.G.2.d Sediment Controls Practices

It's not clear that 4 sets of straw bales in the drainage swale described above, and a few straw-filled wattles sitting on the ground in places along Arroyo Court are sufficient to control eroded sediments from active areas of the site. Likewise, the outlet from the sediment trap located near lot 8631 does not appear to have a stone lined outlet, which makes sense when traps are used temporarily for sediment control. This trap appears to be more of a permanent feature, and if this is the case, something will have to be done to limit erosion and sediment loss from its outlet area. Please explain what will be done to improve sediment control practices at the site until both sections of the plat are completed.

QUALITY ASSURANCE STATEMENT

The Contractor shall comply with the QA/QC requirements outlined for data management and modeling in the endorsed QAPP (in prep): "Watershed-scale Simulation Modeling in Support of Determining the Feasibility of Water Quality Trading" written by the EPA. The plan covers the minimum requirements for documenting the data quality and methods associated with model development, procedures for model calibration, model sensitivity analysis, and model validation. When necessary for determining data quality for model parameterization, calibration and testing, the Contractor shall comply with the QA/QC requirements outlined in the endorsed QMP/QAPP (634-Q-2-0): "Experimental Stream Facility and East Fork Watershed Study: Research Linking Land Use Management Practices to Ecological Structure and Function in Small Stream Ecosystems" written by the EPA; Specifically, the Addendum written by Dr. Nietch that includes 2011 projects. This is an 'umbrella' plan that covers the activities of EPA-PI's, its contractors, and collaborating partners in ESF/EFWS research.

Mr. Mark Schraffenberger
March 18, 2010, 2010
Page 2

Part III.G.2.d.iv. Storm Sewer Inlet Protection

Storm sewer inlets present in Arroyo Court were observed to be in need of maintenance. Inlets in Nadir Court were observed to be unprotected. Because these inlets do not lead to detention basins or other sediment trapping structures, they must be blocked to minimize the off-site transport of eroded sediment. Please explain what will be done to meet this permit requirement.

In addition to the above-requested information, please address the following in your written response to this violation notice:

1. Explain how the newest part of the development is meeting its post-construction stormwater management obligations;
2. Provide a copy of the revised stormwater pollution prevention plan for the site;
3. Provide copies of weekly inspection logs kept for the site (both sections) since October 2009.

Please provide the requested information within 14 days of receipt of this letter. If you have questions about anything in the letter, I can be reached at 937.285.6442 or via email at chris.cotton@epa.state.oh.us.

Sincerely,



Chris Cotton
Division of Surface Water

Cc: OEPA/DSW/SWDO files
Ec: Matt Homan, Butler County SWCD
Eric Pottenger, Butler County Engineer's Office
Todd Anderson, OEPA Legal
Larry Reeder, Enforcement Coordinator, OEPA/CO/DSW
Paul Novak, USEPA Region V, Westlake Office

The following document has not been transmitted. Please try again.
Try to retransmit the rest of pages.

(MON) SEP 26 2011 8:43

User /Account :
DESTINATION : SCAN

DOCUMENT# : 7527431-183
TIME STORED : SEP 26 8:43
TX START :
DURATION :
COM. MODE :

PAGES : 0page
RESULT : NG

To: Patrick Gates

Fax: 513-248-1044

From: Bruce Smith

Date: December 7, 1998

Pages: 2 Pages (including cover sheet).

Patrick,

As I was preparing the report on the proposed UDF system