



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

September 9, 2010

Ron Bauchmoyer
Rockford Homes
999 Polaris Parkway
Columbus, OH 43240

Re: Butler Farms / Franklin County

Dear Mr. Bauchmoyer:

This letter is written regarding the storm water inspection I conducted of the construction activities at Butler Farms, located along Lockbourne Road, on August 27, 2010. I understand this site is currently covered under the General Storm Water Permit Associated with Construction Activities. Based on my site inspection and the conditions set forth in the General Permit, the following items must be addressed:

Sediment and Erosion Controls:

There were three or four homes under construction during my inspection at the Butler Farms Subdivision. The home sites were not stabilized and there were no erosion controls installed at the home sites. Please install controls, such as, straw waddles and silt fence around the perimeter of each new home build site. Please see attached pictures.

Please install a concrete wash-out pit at the site.

Please be aware that the General Permit mandates that all barren areas which remain idle areas in excess of 21 days be protected from erosion (i.e., seed and straw), within seven days from the last construction activity.

During the site visit, it was noted that a shading agent (algaecide) was being used in the sediment basin. Algaecides should not be used in detention basins that have a discharge to waters of the state. The use of shading products is a common practice employed by local homeowners associations for the control of aquatic vegetation in detention ponds. However, please also be advised that the release of these products to "waters of the state" is in violation of Ohio's Water Quality Standards as defined in Ohio Administrative Code (OAC), Chapter 3745-1-04. OAC Chapter 3745 reads as follows:

3745-1-04 Criteria applicable to all waters

The following general water quality criteria shall apply to all surface waters of the state including mixing zones. To every extent practical and possible as determined by the director, these waters shall be:

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

- (C) Free from materials entering the waters as a result of human activity producing color, odor or other conditions in such a degree as to create a nuisance;

If chemicals or shading products are used to control aquatic vegetation in a private pond they must be utilized in such a fashion that they are not discharged to waters of the state. As such, a riser should be placed on the outlet structure of the ponds prior to the use of shading products. The use of a riser on the outlet structure should preclude the discharge of dyes or other chemicals to waters of the state. Once the dyes have dissipated, and the pond has returned to its natural state, the riser can be removed to allow the pond to drain as normal. If the shading product cannot be used in such a manner that precludes a discharge to "waters of the state" then it should not be used. I would also caution you against the use of products containing metals such as copper sulfate. These metals can build-up in the sediments of the pond. If these products are discharged to waters of the state, they could potentially have detrimental impacts on aquatic life, livestock and drinking water supplies.

Furthermore, the use of dyes and shading products in a manner inconsistent with labeling instructions is a violation of federal law. The labeling instructions for a product containing blue dye, sold under the brand name AQUASHADE, reads as follows:

WHERE TO APPLY:

Natural and manmade contained ponds and lakes with little or no overflow. Do not apply directly to streams, other natural bodies of water of any body of water not under total control of the user.

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
Stormwater Section
Division of Surface Water
Central District Office

Enclosure

c: Jeff Bohne, DSW/CDO

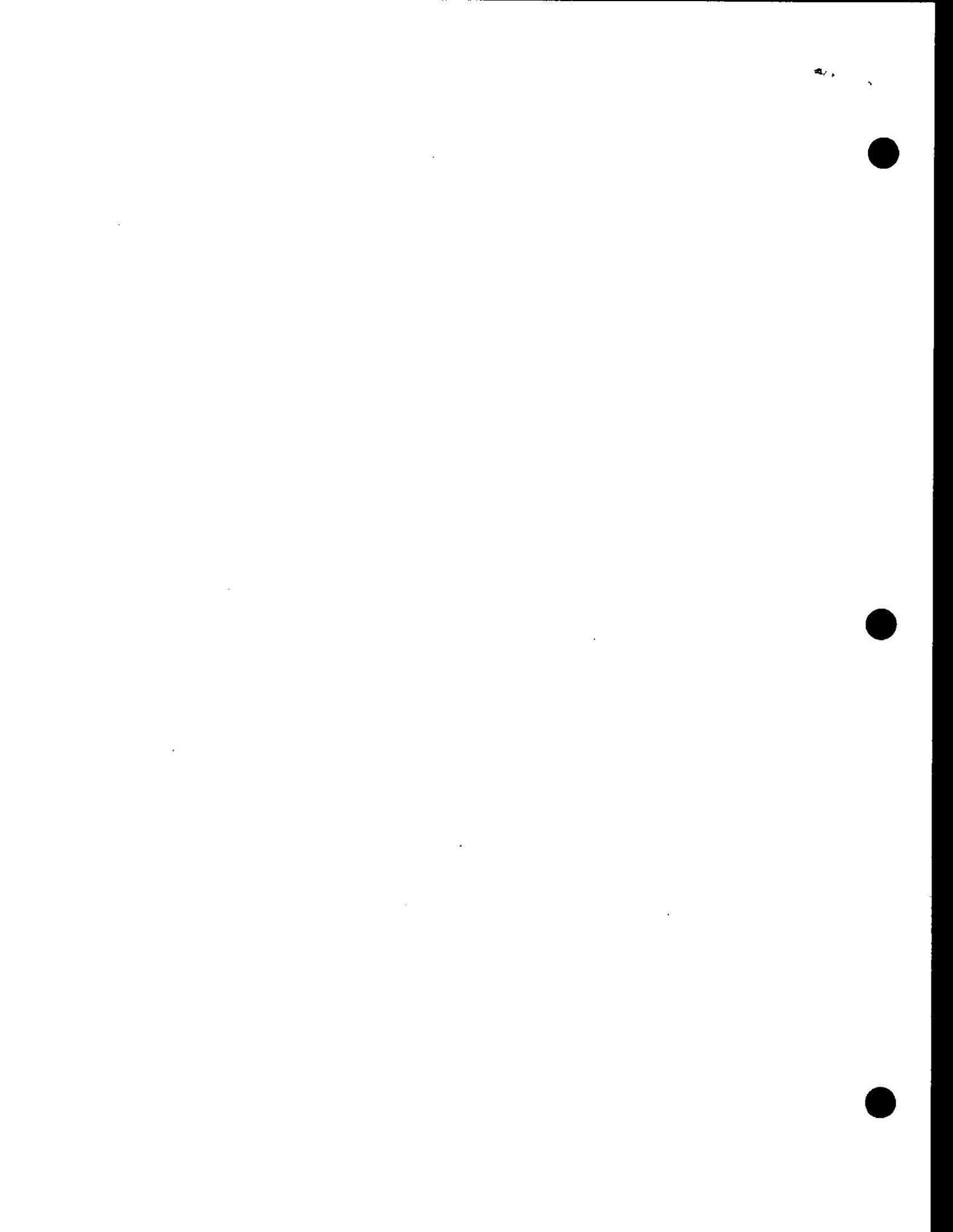
GLS/nsm Butler Farms, August 27, 2010



Butler Farms
No erosion controls
Big Walnut Creek Watershed
August 27, 2010
Photo by: Greg Sanders

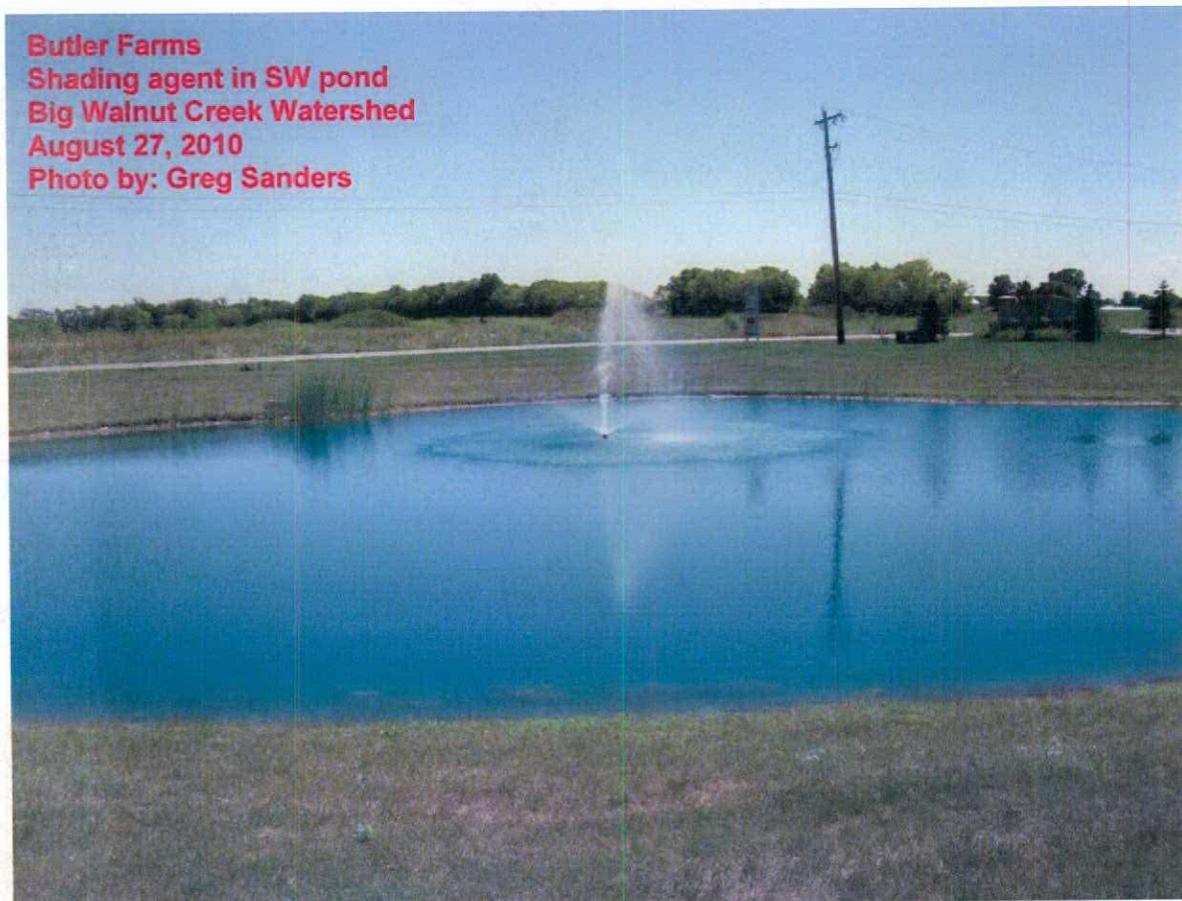


Butler Farms
No erosion controls
Big Walnut Creek Watershed
August 27, 2010
Photo by: Greg Sanders





Butler Farms
No erosion controls
Big Walnut Creek Watershed
August 27, 2010
Photo by: Greg Sanders



Butler Farms
Shading agent in SW pond
Big Walnut Creek Watershed
August 27, 2010
Photo by: Greg Sanders

