



State of Ohio Environmental Protection Agency

STREET ADDRESS:

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Columbus, Ohio 43215

Central District Office

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MAILING ADDRESS:

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

July 28, 2010

Keith Phillips
Berry & Miller Construction, Inc.
42 Hill Road South
Pickerington, OH 43147

**Re: Notice of Violation
Villas at Roxton Ravines, Fairfield County**

Dear Mr. Phillips:

This letter is written regarding the storm water inspection that I conducted at the Villas at Roxton Ravines located near the intersection of Ety Road and Fair Avenue, in Lancaster, Ohio, on July 20, 2010. I understand that these construction activities are currently covered under the General Storm Water Permit Associated with Construction Activities. Please consider this a formal notice of violation with your permit. Based on my site inspection and the General Storm Water Permit, the following items must be addressed.

Sediment and Erosion Controls:

1. I noted active construction at the site. A large portion of the site was barren. Perimeter silt fencing was not installed at the site. Please install perimeter silt fencing around the construction area. There was a small section of silt fencing installed but it needed maintained. Please see attached pictures.
2. 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 7 days of the last earth disturbing activities. In addition, erosion protection must be implemented for all areas of final grade within 7 days.
3. The general permit states that all sediment controls will be inspected and maintained every seven days or within 24 hours of a precipitation event equal to or greater than 0.5 inches. A log of inspection must be maintained on site for the agency to review. A log of the inspections was not available for my review. Please submit to me a copy of your last six months of inspection logs.
4. Sediment-laden storm water was being discharged to a storm water drain. The storm water drain had a few straw bales placed near it, but it was not preventing sediment from discharging off-site. Please install dandy bags on the storm water drains. Please see attached picture.
5. A concrete wash out pit needs to installed at the site.

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

Keith Phillips
Berry & Miller Construction, Inc.
Page -2-

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. Please be aware that there have been several notice of violations and lack of erosion controls at sites associated with Berry & Miller Construction, Inc. Additional deficiencies will result in our office recommending that additional storm water permits not be issued until existing sites come into compliance. A follow up inspection will be conducted to ensure the minimum conditions of the General Permit have been met.

Sincerely,



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

Enclosure

c: Jeff Bohne, CDO/DSW
James Pate, City of Lancaster

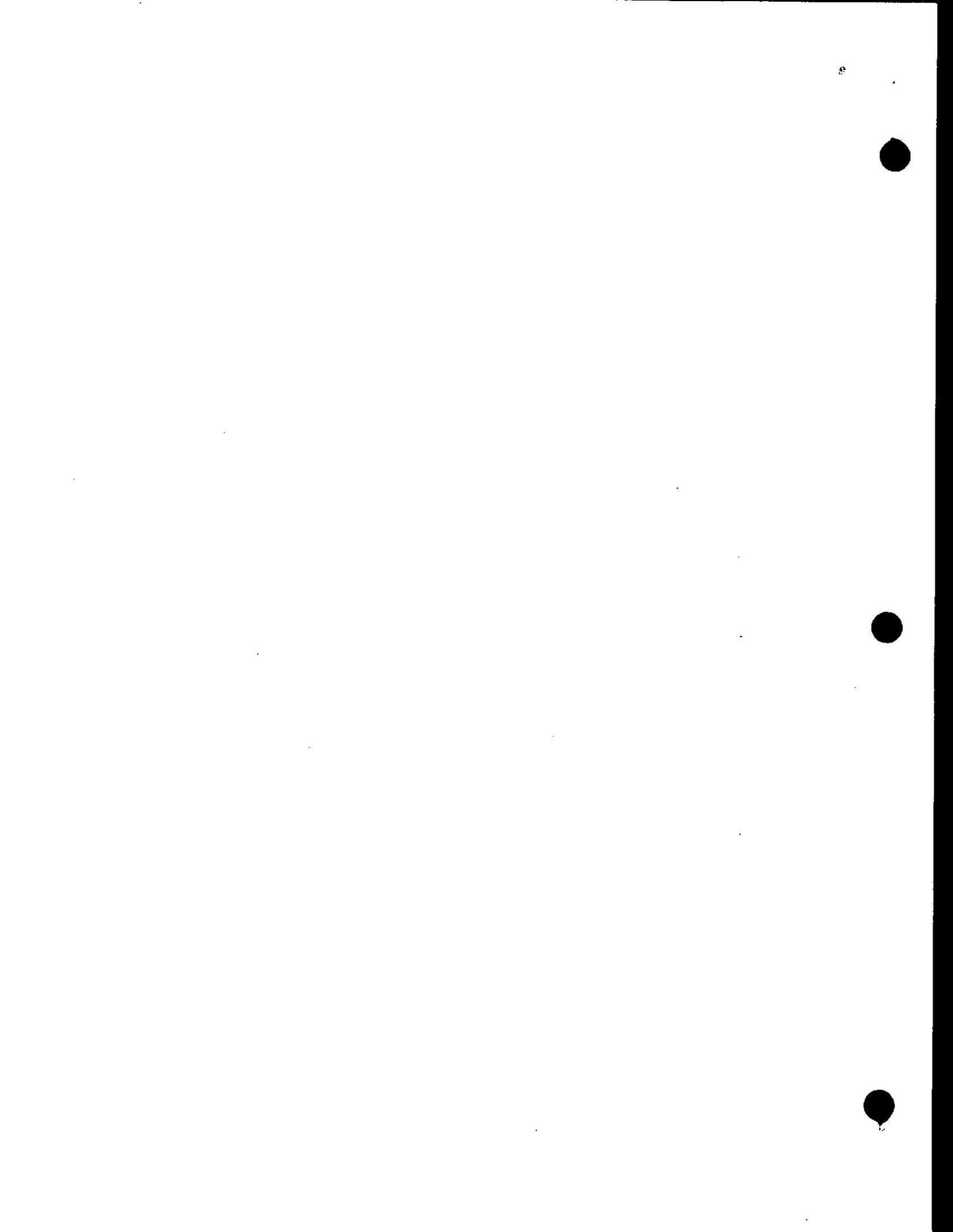
GS/nsm Villas at Roxton Ravines, Junly 20, 2010

Villas at Roxton Ravines
Maintain erosion controls
Hocking River Watershed
July 20, 2010
Photo by: Greg Sanders



Villas at Roxton Ravines
Erosion controls not adequate
Hocking River Watershed
July 20, 2010
Photo by: Greg Sanders





Villas at Roxton Ravines
Install & maintain erosion controls
Hocking River Watershed
July 20, 2010
Photo by: Greg Sanders



Villas at Roxton Ravines
Install & maintain erosion controls
Stabilize barren areas
Hocking River Watershed
July 20, 2010
Photo by: Greg Sanders



