



Environmental  
Protection Agency

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

March 14, 2011

Joe Thomas Jr.  
Triangle Real Estate Services Inc.  
470 Olde Worthington Road # 100  
Westerville, OH 43082

**Re: Construction Storm Water Inspection at Villages at Bale Kenyon  
Delaware County  
NOTICE OF VIOLATION**

Dear Mr. Thomas:

This letter is written in follow-up to a construction storm water inspection I conducted at Villages at Bale Kenyon on March 9, 2011. Kurt Simmons with Delaware Engineering Office and Dan Thomas representing Triangle were present during the inspection.

The purpose of the inspection was to evaluate compliance with the General Storm Water Permit Associated with Construction Activities. During the inspection, I noted the following issues associated with construction activities at this site:

**Sediment and Erosion Control:**

- My inspection entailed observations of the barren areas directly under the power lines on the western portion of the project. The sediment pond for this area is completely full and will require cleaning. This was brought to your attention via an Inspection I conducted on June 02, 2010. **Currently the site is in direct violation of your General Storm Water Permit for failing to maintain appropriate sediment and erosion controls.**
- There are significant eroding areas which are in violation of your general storm water permit. Corrective measure must be implemented to repair these areas and properly stabilize them from erosion. The barren and eroding areas are on the western end of the project directly below the power lines.
- I am in full agreement with Delaware County that a revised Storm Water Pollution Prevention Plan (SWPPP) must be prepared and submitted for review within **10 days from receipt of this letter**. The SWPPP must include corrective action time lines to ensure full compliance with your General Permit.
- During the inspection I noted turbid discharges from the site entering Alum Creek.

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If you have any questions regarding this letter or the inspection, please do not hesitate to call me at our Central District Office at (614) 728-3844. **In addition, please provide a written response to the action items, which may be the revised SWPPP addressed above within 10 days from receipt of this letter.** A follow-up inspection will be conducted to ensure the minimum conditions of the General Permit have been met. ***Enforcement discretion will be exercised in the event the action items in this letter are not addressed.***

Sincerely,



Harry Kallipolitis  
Storm Water Coordinator  
Division of Surface Water  
Central District Office

HK/nsm Villages at Bale Kenyon Westerville 3-11-2011