



Environmental
Protection Agency

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

August 2, 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 August 20, 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 and it did not have erosion controls. Please install erosion controls around the active home site. 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. 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. A log of the inspections could not be provided during the site inspection.

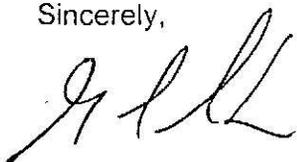
If you sold any lots to a developer, the developer may need to complete and submit a lot notice of intent application. This is used when a portion of a construction site is bought and sediment and erosion control responsibility is transferred to the owner of the individual lot. This application may be obtained at the following weblink: <http://www.epa.state.oh.us/dsw/storm/stormform.aspx>.

Your contractors 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>. Your 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

Rolling Acres
Install erosion controls
Stabilize barren areas
Walnut Creek Watershed
July 20, 2011
Photo by: Greg Sanders



Rolling Acres
Install erosion controls
Stabilize barren areas
Walnut Creek Watershed
July 20, 2011
Photo by: Greg Sanders



