



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

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

August 28, 2009

**Re: Perry County  
Herons Cove Condominiums  
Storm Water Construction Activity  
Notice of Violation  
OGC01186\*AG**

Mr. John Roush  
Dovel, Ltd.  
42 Hill Road  
Pickerington, Ohio 43147

Dear Mr. Roush:

On August 18, 2009, I visited your site on Township Road 79 near Thornville. The purpose of the inspection was to determine the compliance status of this site with the National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The following areas need to be addressed:

Permit Coverage:

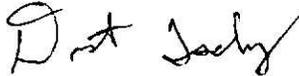
1. Part III.G.2.b.i. (Table 2) of the permit requires that any area that will lie dormant for more than 21 days, but less than a year be stabilized within 7 days of the most recent disturbance. **Stabilize all bare areas on the site.**
2. In accordance with Part III.G.2.d.i. and Part III.G.2.h. of the permit, all sediment control structures shall be functional throughout the course of earth disturbing activities. Sediment controls should be in place prior to the onset of construction activities and must remain in place until the entire up slope area is stabilized. **Install sediment controls for the site immediately.**

Sediment and erosion controls for your site must meet the guidelines and design criteria set forth in the above mentioned *Rainwater and Land Development* manual. A copy of this manual may be obtained by contacting the Ohio Department of Natural Resources, Division of Soil and Water Conservation, at (614) 265-6610.

Within fourteen (14) days of receipt of this letter, please submit to me at this office a written notification as to actions taken or proposed to eliminate violations of the permit. Your response should include the dates, either actual or proposed, for the completion of the actions. If you have any questions, please contact Aaron Wolfe at (740) 380-5277.

**Please be advised that failure to comply with the terms and conditions of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.**

Sincerely,



Dustin Tschudy  
Storm Water Section  
Division of Surface Water

DT/dh