



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

August 15, 2013

Certified Mail

Mr. Paul Gallenstein
Miami View Properties
25 Town Center Blvd, Suite 104
Crestview Hills, KY 41017

RE: Terrace Ridge Subdivision Section 4, Permit # 1GC04401*AG; Notice of Violation

Dear Mr. Gallenstein:

On Thursday, August 8, 2013, I inspected the Terrace Ridge Subdivision (section 4) construction project in Union Township, Clermont County, Ohio, to determine compliance with the site's NPDES construction site stormwater discharge permit. Based on my observations, the site is out of compliance with the following parts of its permit:

Part III.G.2.b.i – Stabilization

Much of the disturbed land that will not have homes constructed on it appears to be at final grade, and therefore must be stabilized per the requirements of this section (see charts on page 16 of the permit). Lots that will be built on are required to be temporarily stabilized if the land is idle for more than 14 days but less than a year. A covering of straw or woody debris that is wetted or otherwise tamped onto the ground is sufficient to meet this requirement. In your written response to this letter, please explain what will be done to stabilize bare areas, either temporarily or permanently, and when the work will take place. Also, please explain how you're interacting with Ryan Homes in terms of dividing up responsibilities for erosion and sediment controls at the site.

Part III.G.2.d.iv Inlet Protection

Several storm sewer inlets in the new road appeared to be adequately protected as required by the permit; however, the most critical inlet located downhill in the cul-de-sac, was not protected at all. A segment of a black compost-filled boom was placed at the back of the inlet, but nothing was blocking the grate. Runoff over barren uphill slopes is capable of eroding considerable amounts of sediment, due to minimal diversions that could direct surface flow away from vulnerable areas. Sediment laden runoff can enter this unprotected inlet and will be discharged from the site, making it imperative that the inlet be blocked until uphill areas are permanently stabilized.

Mr. Paul Gallenstein
August 15, 2013
Page 2

Part III.G.2.h Maintenance

Portions of silt fence installed to control eroded sediments down slope from the cul-de-sac were observed to have failed. The permit requires sediment controls to be maintained in a functional condition. Please explain in a written response to this letter who is responsible for maintaining sediment control practices that have been installed at the site until all disturbed areas have been permanently stabilized.

Part III.G.2.i Inspections

Previous requests for erosion and sediment control inspection records have been ignored, so it is assumed that required inspections are not being done. As a reminder, controls are to be inspected weekly, and after rains that exceed half an inch over a 24 hour period.

In addition to information requested above, please provide the following:

1. Copies of erosion and sediment control inspection records kept for the site since construction began. (3rd written request). See page 29 of OEPA's construction permit for details on what's required.
2. A description of post-construction runoff best management practices that will be employed at the site. (See pages 20-25 of the permit for details.) Information submitted in response to past violation notices has not addressed this.
3. Please explain how erosion and sediment control requirements will be addressed as lots are sold off and transferred to new owners.

Please provide the requested information within 7 days of receipt of this letter. Failure to adequately respond to the information requested above will result in an enforcement referral.

If you have questions regarding the letter you can contact me at (937) 285-6442, or via email at chris.cotton@epa.ohio.gov.

Sincerely,



Chris Cotton
Environmental Specialist II
Division of Surface Water

CC/kb

ec: Larry Reeder, Enforcement Coordinator, OEPA/DSW/CO
John McManus, Clermont County Stormwater Department
Heath Wilson, P.E., Clermont County Building Department
Lawrence Helkowski, Ohio Attorney General's Office, Environmental Enforcement Section

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To MR. PAUL GALLENSTEIN

Street, Apt. No., or PO Box No. MIAMI VIEW PROPERTIES

City, State, ZIP+4 25 TOWN CENTER BLVD, SUITE 104
CRESTVIEW HILLS, KY 41017

PS Form 3800, August 2003 See Reverse for Instructions

7010 1060 0002 4250 4491

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p style="font-size: 1.2em; margin-top: 10px;">MR. PAUL GALLENSTEIN MIAMI VIEW PROPERTIES 25 TOWN CENTER BLVD, SUITE 104 CRESTVIEW HILLS, KY 41017</p>	<p>Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number <i>(Transfer from service label)</i></p>	<p style="font-size: 1.2em; text-align: center;">7010 1060 0002 4250 4491</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	