



**Environmental  
Protection Agency**

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

July 3, 2012

Christopher Phelps  
Maronda Homes  
3811 Twin Creeks Drive  
Columbus, OH 43204

**Re: Notice of Violation  
Misty Meadows, Fairfield County**

Dear Mr. Phelps:

This letter is written regarding the storm water inspection I conducted on June 28, 2012, of the construction activities at Misty Meadows, located in Lancaster, Ohio. The Agency understands that these construction activities are currently covered under the General Storm Water Permit Associated with Construction Activities. There were several active home sites under construction during my inspection. Please consider this a formal notice of violation. You will need to address the issues below. Based on the site inspection and the General Storm Water Permit, the following need to be addressed at the site:

**Sediment and Erosion Controls:**

- The active home construction sites needed to have straw waddles or silt fence installed and maintained around the perimeter or at least on the down slope. One site did not have erosion controls and the other site need erosion controls along the front of the property and need the controls maintained along the sides. All barren including dirt stockpiles will need adequate erosion controls. Please see attached pictures.
- 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.
- A concrete wash-out pit needs to be installed and maintained. Please inform concrete drivers and contractors of its location. I noted concrete wash-out material being discharged to the ground which was flowing off-site. I informed a concrete driver that discharging concrete wash-out material to the ground and allowing it to discharge off of the construction site is considered an illicit discharge and is illegal. The concrete driver continued to discharge to the ground and allow it to discharge off-site. Maronda Homes and Hensel Ready Mix are both liable for this illicit discharge.

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- Please have the contractors apply as a co-permittee on the storm water permit or obtain a lot notice of intent. This can be obtained at the following weblink:  
<http://www.epa.ohio.gov/dsw/storm/stormform.aspx>.

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  
Environmental Specialist  
Division of Surface Water  
Central District Office

Enclosure

c: Ben Hensel, Hensel Ready Mix  
Casey Chapman, AGO

ec: Gregory L. Sanders, DSW/CDO

GLS/nsm Misty Meadows, June 28, 2012

