



Environmental
Protection Agency

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

July 12, 2012

Joe Cimminello
Pinnacle Development
1500 Pinnacle Club Drive
Grove City, OH 43123

**Re: Pinnacle Club – The Estates, Franklin County
Notice of Violation**

Dear Mr. Cimminello:

This letter is written regarding the storm water inspection I conducted on July 10, 2012, of the construction activities of the Pinnacle Club – The Estates, located near Pinnacle Club Drive, in Grove City, Ohio. I understand this site is currently 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 conditions set forth in the General Permit, the following items must be addressed:

Sediment and Erosion Controls:

The project site had several active home sites and several large barren areas that were not stabilized. Please be aware the General Permit mandates specific permanent and temporary stabilization requirements. All disturbed areas which remain idle in excess of 21 days must be protected from erosion within seven days of the last earth disturbing activities. All areas of final grade must be protected within seven days. All earth disturbing activities should be clearly logged in your inspection reports to ensure the 21 day / seven day requirement is not violated. Please see attached pictures.

Silt fence or other erosion controls were not installed at the site. Silt fence or other erosion controls need to be installed around the perimeter of the barren areas. 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. Please see attached pictures.

Please control fugitive dust at the site. An excessive amount of dust was blowing across State Route 104 which could become a safety issue, as well as, cause adverse environmental impacts.

If any lots are sold to another developer or home builder, the new 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 general contractor(s) 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 contractor is 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
Environmental Specialist
Stormwater Section
Division of Surface Water
Central District Office

Enclosure

ec: Gregory L. Sanders, DSW/CDO



THE UNIVERSITY OF CHICAGO PRESS





