



**Environmental
Protection Agency**

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

Re: **Notice of Violation**
Hardin County
Kenton Station Senior Villas
Construction
Stormwater

August 17, 2012

Mr. Todd Valentine
Developmental Director
L.W. Associates, Inc.
184 West Main Street
Ashville, Ohio 43103

Dear Mr. Valentine:

On June 5, 2012, Jessica Heitman and I inspected Kenton Station Senior Villas at 15410 State Route 67, Kenton (photos taken). The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2GC03021. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Mr. Jim Ballard of L.W. Associates was present to provide information on the project. Our records indicate that there are no co-permittees on this project.

As a result of the inspection, I have the following comments:

1. At the time of inspection, the buildings were mostly finished and a sediment basin had been installed. Workers were working on the inside of buildings and grading for the roads.
2. The Storm Water Pollution Prevention Plan (SWP3) was onsite, but was not being implemented. The SWP3 called for silt fence in many areas where none has been installed, such as along the eastern perimeter of the site. *This is a violation of Part III.G.2.d.iii.*
3. Inspection logs were not kept. Inspections must be conducted weekly and within 24 hours of a 0.5" rainfall. Inspections must include: disturbed areas, material storage areas, all sediment and erosion control measures, discharge locations, and all vehicle access points. Records must include: inspector name and qualifications, inspection date, observations, a certification that the facility is in compliance with the SWP3 and the permit, and identify any incidents of non-compliance. The record and certification must be signed in accordance with Part V.G. of the permit. *This is a violation of Part III. G.2.i. of the permit.*
4. Silt fencing was installed around most of the perimeter of the site. However, the joints were incorrectly installed. The lines of silt fencing overlapped at the ends. Instead, the stakes must be twisted around each other so that the fabric wraps around both stakes before staking the fence into the ground. Also there were portions of the silt fence that had been demolished. At the time of our visit, the grade of portions of the site was below the perimeter silt fence. The installation of the silt fence must be corrected prior to any grade changes that will direct runoff towards the silt fence, and silt fence must be installed at the portions of the site where runoff

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currently directs flow offsite. *Permit requires:* All sediment and erosion control practices must meet the standards of the current edition of *Rainwater and Land Development: Ohio's Standards for Storm Water Management, Land Development, and Urban Stream Protection*. Please see Part III.G.2. of the permit.

5. All temporary or permanent stabilization has not been established. Soil stockpiles on the eastern part of the site and the banks and bottom of the sediment pond had also not been stabilized. *Permit Requires:* Portions of the construction site that will be inactive for more than 21 days must have temporary stabilization initiated within the first seven. Temporary stabilization is required prior to the onset of winter weather for ground that will be idle over winter. Permanent stabilization is required within seven days on any portion of the site that has reached final grade or will be idle for longer than one year. Soil stabilization practices shall be initiated within two days on inactive, barren areas within 50 feet of a stream. In addition, disturbed areas in residential subdivisions must be stabilized at least seven days prior to transfer of permit coverage for the individual lot(s). Permanent seeding and mulching is required before construction activity is completed throughout the entire site. If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching and matting, must still be used and maintained until more permanent methods can be implemented. *Failure to do so is a violation of Part III.G.2.b.i. of your permit.*
6. A construction entrance was established along State Route 67; however, there is still tracking into the street. *This is a violation of Part III.G.2.g.ii.*
7. While fuel tanks were not stored near any drainage ways, secondary containment was not provided. I recommend that an earthen containment berm be constructed.

Within 10 days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to prevent any future violations. Your response should include the dates, either actual or proposed, for the completion of the actions.

If there are any questions, please contact Ms. Lynette Hablitzel at 419-373-3009.

Sincerely,



Bernard E. Weik
Division of Surface Water
Storm Water Program

/jlm

cc: Mr. Randy Manns, Kenton City Mayor
Tracking