Ohio | Environmental Protection Agency

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

August 17, 2012

Fischer Development Company
2670 Chancellor Dive
Suite 300
Crestview Hills, KY 41107

Re: Notice of Violation
Elmont Place, Franklin County

To Whom it May Concern:

This letter is written regarding the storm water inspection that I conducted on July 26, 2012, of the construction activities of Elmont Place along Bixby Road in Groveport, Ohio. The Agency understands that these construction activities are covered under the General Storm Water Permit Associated with Construction Activities. Please consider this a formal notice of violation. Based on my inspection, the following issues need to be addressed at the site:

Sediment and Erosion Controls:

There were several homes under construction during my inspection. Please install and maintain erosion controls around the new home site along Dorchester Drive. Also, please stabilize the barren areas since the site is at final grade. Please see attached pictures.

Please be aware that 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. Most of the site appeared to be at final grade.

The general contractors 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. The general contractors are 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 thesecircumstances, the operators shall be co-permittees.

Central District Office
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

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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

ec: Gregory L. Sanders, DSW/CDO

GLS/nsm Elmont Place - Fischer, July 26, 2012