



December 11, 2012

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

**Re: Third Notice of Violation
Deer Creek Run Subdivision / Madison County**

Dear Mr. Phelps:

This letter is written in regard to a construction storm water inspection that I conducted on December 6, 2012, at the Deer Creek Run Subdivision, located in Mount Sterling, Ohio. The purpose of the inspection was to evaluate compliance with the General Storm Water Permit Associated with Construction Activities. Please consider this another formal notice of violation. During the inspection, I noted the following:

Sediment and Erosion Controls:

- There were several homes under construction during the inspection. Most home sites did not have any erosion controls. Please install and maintain silt fence and/or straw wattles to prevent erosion from discharging off-site from these active sites.
- Please be aware the General Permit states that all barren areas, including soil stockpiles, which remain idle in excess of 21 days must be protected from erosion within 7 days of the last earth disturbing activities. In addition, erosion protection must be implemented for all areas of final grade within 7 days.
- A concrete wash-out pit must be installed and maintained on-site to capture the concrete wash water.
- Please maintain the storm water pond. It was full of shrubs and small trees.
- 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 (a.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 the inspection, please do not hesitate to contact me at our Central District Office at (614) 728-3851.

Sincerely,



Gregory L. Sanders
Environmental Specialist
Division of Surface Water
Central District Office

ec: Gregory L. Sanders, DSW/CDO