



John E. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Bally, Director

December 19, 2012

Gene Pirko
Westport Homes of Ohio
507 Executive Campus Drive
Suite #100
Westerville, OH 43082

**Re: Notice of Violation
Chestnut Estates / Pickaway County**

Dear Mr. Pirko:

This letter is written regarding the storm water inspection that I conducted on December 17, 2012, of the construction activities of Chestnut Estates located near Commercial Point, 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 numerous homes under construction in phase 2 and phase 3 during my inspection. Very few home lots had erosion controls installed. There was a lot of sediment discharging to the road. Please use best management practices and controls to prevent sediment discharging to the roads. 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. Given the time of year alternate erosion control measures such as erosion control matting, crimped mulching, mulch with netting and/or tackifier, or an approvable alternative must be implement for this site to ensure effective erosion control for the upcoming winter months.

The general contractor 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 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
Division of Surface Water
Central District Office

Enclosure

ec: Gregory L. Sanders, DSW/CDO

GLS/nsm Chestnut Estates, December 17, 2012

