



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

June 28, 2013

Mr. Bill Hibner
Greater Dayton Construction, Ltd
4197 Research Blvd.
Beavercreek, OH 45430

**RE: Acorn Walk Subdivision; NPDES Permit # 1GC04543*AG
Compliance Inspection Findings and Notice of Violation**

Dear Mr. Hibner:

On Wednesday, June 26, 2013, I inspected the Acorn Walk Subdivision site in Dayton, Ohio, to determine compliance with the site's NPDES construction site storm water discharge permit. I did not communicate with anyone on site during my inspection.

Based on my observations at the Acorn Walk Subdivision site, there are violations of the site's storm water discharge permit:

Part III.G.2.d.iv: Sediment Control Practices: Inlet Protection

Storm drains located in the parking lot of the newly constructed building are allowing sediment-laden water to enter the storm sewer system, which discharges into an unnamed tributary of Beaver Creek. Inlet protection must be implemented if sediment-laden water is entering an active storm drain system, unless the storm drain system drains into a sediment settling pond. Inlet protection, such as dandy bags, must be installed until all disturbed areas on site are stabilized. The two outlet pipes, of the storm drain system are discharging storm water onto approximately five feet of disturbed soil before entering the stream. Rock outlet protection must be installed to provide an erosion resistant transition area where concentrated flows enter a natural stream. The photographs, included with this letter, document the violation.

Any disturbed areas within 50 feet of a surface water of the state, if at final grade or will remain idle for 14 days, must be permanently stabilized within two days of the most recent disturbance.

Please explain in your written response to this letter what measures will be taken to minimize the loss of eroded sediments into the stream. Please provide within 14 days of receipt of this letter the following information:

1. A copy of the site's storm water pollution prevention plan (SWP3).
2. Copies of sediment control inspections kept for the project since April 1, 2013.
3. What necessary erosion controls will be applied to the storm drain system's outlet pipe to minimize the loss of sediment from the site into the stream?

If you have any questions regarding the NPDES permit, you may contact me at (937) 204-1002 or by via email james.schwieterman@epa.ohio.gov.

Sincerely,



James Schwieterman
Storm Water Group
Division of Surface Water

JS/tb

Enclosed: Inspection Letter

Ohio EPA DSW Storm Water Section, Construction Site Visit Information Form

Inspector initials: JS Visit date: 8/26/13 Permit # 16C04893-AG

Site Name: ACORN Walk Subdivision

Site Address: Intersection of Acorn Drive + Peach Orchard Road Kettering, OH
Mont. Co

People Contacted On Site: _____

Phone: _____ E-mail: _____

1. Did you see the following on site?

ITEM	YES	NO	Not Requested	Comments
NOI			✓	
Coverage Letter			✓	Didn't talk to anyone on site
SWP3			✓	
Inspection Records			✓	
Contractor & Subs signature document			✓	

2. Acreage Disturbed: 9.73

3. Site Status: Clearing/grubbing Rough Grading Storm sewers in
Streets in Utilities installed Final Grade Final stabilization

4. Are BMPs needed: Yes

5. Are BMPs effective? All Some None No BMPs

Explain: Use Dandy Bags in Parking Lot until area is stabilized, Silt Fence running along sewer creek

6. What post construction controls are shown on the SWP3? Storm Water System starting from West end of site (Acorn Dr) flows North then East and dumps into creek

7. Were Photos taken & saved? Yes 8. Was an NOV issued? Yes

Additional notes/comments:
Storm water sewer system outlet Discharge Pipe near creek does not have any rip rap in place. Storm water drains onto dirt then into creek
 - one south of the one w/o rip rap has a sediment trap around the discharge pipe. Water only enters the creek if it overflows. Highly Erodible use Stone.
 - Disturbance within 50ft of a State Body of water



