



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

Re: **Notice of Violation**  
Fulton County  
Willow Run Plat Five  
Stormwater Construction  
Permit No. 2GC00412\*AG

July 2, 2013

Mr. Merrill Kane, CPA  
Swanton Properties Ltd.  
140 North Fulton Street  
P.O. Box 152  
Wauseon, Ohio 43567

Dear Mr. Kane:

On June 25, 2013, I performed an inspection of the construction site for Willow Run Plat Five, located off Airport Highway on the west side of Swanton, Ohio, Fulton County. The purpose of this 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 also known as the Construction General Permit (CGP). The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. On April 14, 2004, a CGP was issued to Swanton Properties, Ltd. Mr. Tim Smith was listed as contact.

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

1. At the time of the inspection, all streets, curbs and utilities had been installed. Many of the properties have been developed with 12 lots still to be developed.
2. Currently, a home is being built on the corner of Crabapple and Cypress. There is no construction entrance established for this lot and there is tracking of sediment onto the street. *This is a violation of Part III.G.2.b of the CGP, which requires construction entrances.*
3. There was washout of a white substance that ran out into the street. *This is a violation of Part III.G.2.g of the CGP.*
4. A dirt pile is positioned on the back of the property that is not stabilized. *This is a violation of Part III.G.2.b of the CGP.*

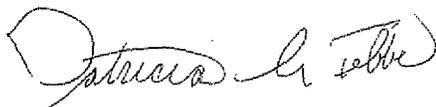
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5. There are no controls to keep sediment from the site from entering the catch basin. While there is a storm pond connected to this development, it is not a construction sedimentation basin. *This is a violation of Part III.G.2.d.iv of the CGP, which requires inlet protection to minimize sediment laden water entering active storm drain systems.*
6. Part III.G.2.i of the CGP requires inspections of all controls at least once every seven calendar days and within 24 hours after any storm event greater than one-half inch of rain per 24 hour period. Records of these inspections are to be maintained and kept for review.

Within 15 days of the date on this letter, please submit to this office **written notification** of 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. Please also submit copies of your inspection reports for the past year for review.

If you have any questions, you may contact me at (419) 373-3016 or by e-mail at [patricia.tebbe@epa.ohio.gov](mailto:patricia.tebbe@epa.ohio.gov).

Sincerely,



Patricia A. Tebbe, P.E.  
Division of Surface Water

/jlm

pc: Fulton County SWCD  
Fulton County Engineer  
Follow-up file

ec: Tracking