



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

September 24, 2013

Mr. Frank Bullock
Mound Development Corporation
965 Capstone Drive
Miamisburg, Ohio 45342

RE: Notice of Violation, Vanguard Blvd Extension, NPDES Permit # 1GC04337

Dear Mr. Bullock:

On Thursday, September 19, 2013, I inspected the Vanguard Boulevard Extension Phase 2 construction project in Miamisburg, Ohio, to determine compliance with the site's storm water discharge permit. Based on my observations, the project remains in violation of the following parts of its permit:

1. Part III.G.2.d - Sediment Control Practices

Eroded sediments on the west side of the new road continue to be lost from the site through one of two existing storm sewer inlets at the bottom of the hill. A rebar-framed, geotextile wrapped basket, placed over the storm sewer inlet grate for a time, effectively limited the loss of eroded sediments from the site. But so much eroded sediment from uphill area has been deposited around the basket that the ground elevation is now level with the top of the basket itself. Assuming the sediment control basket here (and others elsewhere in the project area) is not a permanent feature of the site, please explain in your written response what measures will be taken to control eroded sediments in this area until final stabilization can be achieved and sediment controls can be removed.

2. Part III.G.2.b.i - Stabilization

Barren soils at construction projects are required to be stabilized within specified timeframes, as shown in the 2 tables on page 16 of the construction permit. Efforts to stabilize the project area have been marginally successful, in part because of poorly timed seeding, crummy soil, and the recent dry spell. Please explain, in a written reply to this letter, how bare soils created by the project will be stabilized in accordance with permit requirements.

3. Part III.G.2.b.ii - Stabilization of Conveyance Channels

Please explain what measures will be taken to stabilize the shallow channels that have developed at the base of the hills on each side of the new road. The channel that has developed on the east side of the new road has revealed that final grades were not properly established to allow runoff to drain to existing storm sewer field inlets.

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Please include with your written response copies of sediment control inspection records kept for the project since July 1, 2013.

Please provide the requested information within 7 days of receipt of this letter. A previous request was made in a June 24, 2013 Notice of Violation sent by James Schwieterman. To date, there has been no response.

If you have questions about anything in this letter, I can be reached at (937) 285-6442, or via email at chris.cotton@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cotton".

Chris Cotton
Environmental Specialist II
Ohio EPA Division of Surface Water

CC/tb

cc: OEPA/Larry Reeder, DSW Enforcement Section
OEPA/SWDO/DSW Files
Tim Young, City of Miamisburg