



ARKANSAS
Department of Environmental Quality

January 17, 2012

Darren Baker, Owner
Stephens / Baker Development
Hamilton Park Addition
12913 I-30
Benton, AR 72015

AFIN: 26-00980

NPDES Permit No.: ARR152120

Dear Mr. Baker:

On, January 11, 2012, I performed a routine compliance inspection of the above referenced facility. The inspection was conducted in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. This inspection revealed the following violations:

1. The most current NOC is not posted at the entrance to the site. The old NOC is posted and barely legible due to the weathered conditions.
2. The SWPPP is not being kept updated as required. Some pages were noted as being voided and refer to the update revisions, however; no updated revisions could be located in the onsite documents.
3. Inadequate site maps. Currently there are two maps covering the same project area. When specific changes are made to the site some are being documented on one map and not on the other. One map covering either the entire project area or more than one map with each covering a portion of the project area is suitable, however, in order to eliminate conflicting information, when a change is documented it should be done on one map.
4. The direction of stormwater flows was not found in the maps.
5. Not all structural controls are included on the maps. This includes the storm drain inlet protection devices. Additionally, these should be included as an item that gets evaluated during the weekly inspections.
6. Locations on the map where stormwater is discharged off site were not found and / or accurate. Stormwater from a pit dewatering project that was taking place during the inspection was found to be discharging offsite. No controls were located in this area and this discharge location was not indicated on the map.

7. Areas where final stabilization has been accomplished was not indicated on the map. One map showed BMP's (silt fences) to still be in place around all lots on Phase I, however, most of Phase I has been completed. All but a few homes have been finished and the yards have been sodded.
8. Maintenance was found to be needed to the silt fencing in some areas. Some fencing was down and undercutting was noted in some places.
9. The sediment pond for Phase II appears to be incorrectly utilized. The storm water drainage system has been piped so that this pond only receives runoff from the stormwater inlets located along the paved streets. Although this pond will provide some benefit by reducing the amount of sediment that leaves the site, it can only remove sediment that may enter the curbside storm drains.
10. Sediment and mostly fine shale particles has gotten off site and were found in the roadside ditch on the south side of the project, just above an inlet to Lake Hamilton. This material has not been removed as required.
11. The facility is using the old inspection forms and lack a beginning and duration of a storm event, description of any discharges during an inspection, locations of discharges of sediment, locations of BMP's in need of maintenance or where maintenance was performed, locations in need of additional controls and locations and dates of when major construction activities begin, occur or cease.
12. The most recent facility inspection report evaluated, dated 1-11-2012, indicated that no maintenance was needed. However, during this inspection, maintenance was indeed noted to be required. For instance, the inspection report stated that all silt fences were buried, however, several areas of unburied silt fence were found.
13. There is no indication in the SWPPP stating the frequency that inspections will be conducted.
14. Site inspections are not being done every seven days as stated by onsite personnel to be the inspection frequency. A stormwater site inspection was performed on 1-11-2012 and the previous stormwater site inspection was performed on 12-20-2011.
15. A high amount of solid waste was found to be scattered around the few construction sites on Phase I and also in a few locations of Phase II.
16. Sediment from one particular lot in the south west corner of Phase I is entering a tributary of Lake Hamilton. This is due to dirt work being done to the edge of this tributary. This was evidenced by the turbidity in this creek. Also, during the inspection, a pit was being dewatered with the use of a trackhoe. This runoff was flowing offsite and into a neighboring pond. No stormwater controls were located in this area.

17. Unsatisfactory concrete washout area. Currently concrete is being washed out in an uncontrolled area. NO BMP's are in place to prevent runoff.

Additionally, some maintenance activities are being recorded by onsite personnel, however, these are not tied to any maintenance activities found to be needed and documented in an inspection report.

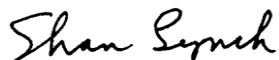
The diesel fuel storage area may be unsuitable for containing any fuel spills. The fuel tank is stored in a pit lined with plastic. The inspection was performed after a rain event that left several large puddles around the site. No stormwater was found to be in the containment area. It is possible that this plastic may be compromised.

The above items require your immediate attention. Please submit a written response to these findings to the Water Division Enforcement Branch of this Department. This response should be mailed to the address at the bottom of the first page of the letter or e-mailed to Water-Enforcement-Report@adeq.state.ar.us. This response should contain documentation describing the course of action taken to correct each item noted. This corrective action should be completed as soon as possible, and the written response with all necessary documentation (i.e. photos) is due by January 27, 2012.

For additional information you may contact the Enforcement Branch by telephone at 501-682-0639 or by fax at 501-682-0910.

If I can be any assistance, please contact me at lynch@adeq.state.ar.us or 870 389-6970.

Sincerely,



District Field Inspector
Water Division

cc: Water Division Enforcement Branch
Water Division Permits Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D.C. 20460

Form Approved
OMB No. 2040-0003

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	Yr/Mo/Day	Inspec. Type	Inspector	Fac. Type
1 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="A"/> <input type="text" value="R"/> <input type="text" value="R"/> 1 <input type="text" value="5"/> 2 <input type="text" value="1"/> 2 <input type="text" value="0"/> 11 <input type="text" value="1"/> 12 <input type="text" value="2"/> 0 <input type="text" value="1"/> 1 <input type="text" value="1"/> 17 <input type="text" value="18"/> 18 <input type="text" value="W"/> 19 <input type="text" value="S"/> 20 <input type="text" value="2"/>					
Remarks					
<input type="text" value="A"/> <input type="text" value="F"/> <input type="text" value="I"/> <input type="text" value="N"/> <input type="text" value="C"/> <input type="text" value="O"/> <input type="text" value="U"/> <input type="text" value="N"/> <input type="text" value="T"/> <input type="text" value="Y"/>					
Inspection Work Days		Facility Evaluation Rating		BI QA -----Reserved-----	
67 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 69		70 <input type="text" value="N"/>		71 <input type="text" value="N"/> 72 <input type="text" value="N"/> 73 <input type="text" value=""/> 74 <input type="text" value=""/> 75 <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> 80	

Section B: Facility Data

Name and Location of Facility Inspected (<i>For industrial users discharging to POTW, also include POTW name and NPDES permit number</i>) Hamilton Park Addition 791 Marion Anderson Rd.; Hot Springs, AR	Entry Time/Date 0945 / 1-11-2012	Permit Effective Date December 7, 2011
	Exit Time/Date 1137 / 1-11-2012	Permit Expiration Date October 31, 2016
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Kevin Rash / Project Manager / 501 249-8902 Travis Baker / Project Manager / 501 249-1993	Other Facility Data <p style="text-align: center;">Construction Stormwater</p>	
Name, Address of Responsible Official/Title/Phone and Fax Number Darren Baker / Owner / 501 317-0730 or 501 529-5550 Stephens / Baker Development 12913 I-30 Benton, AR 72015	Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
PDS #063337		

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

<input type="checkbox"/> Permit	<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Sampling
<input type="checkbox"/> Records/Reports	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Pollution Prevention
<input type="checkbox"/> Facility Site Review	<input type="checkbox"/> Compliance Schedules	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> Multimedia
<input type="checkbox"/> Effluent/Receiving Waters	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

* See Attached Sheets

Name(s) and Signature(s) of Inspector(s) 	Agency/Office/Telephone/Fax ADEQ / Dist. 7 / 870 389-6970	Date January 13, 2012
Signature of Reviewer	Agency/Office/Phone and Fax Numbers	Date

SECTION I: SITE POSTING AND SITE INFORMATION**SITE NAME: Hamilton Park Addition** **TOTAL ACREAGE 52.37** **ACREAGE DISTURBED 52.37****LATITUDE 34° 26' 40.08"** **LONGITUDE -93° 8' 9.52"** **STARTING DATE ~ 5-15-2007**

- | | |
|--|--|
| A. Is site is posted with Notice Of Coverage (NOC) (Part II, A.2.D) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| B. Is posting at construction entrance and visible to the public (Part II, A.2.D) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| C. If project is linear, is posting at area actively under construction? (Part I, B.8.C) | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE |
| D. If project is part of larger common plan of development, what is development name and permit number
Development Name: _____ Development Permit No: _____ | NA |

SECTION II: STORM WATER POLLUTION PREVENTION PLAN EVALUATION AND IMPLEMENTATION

- | | |
|--|--|
| A. Is the SWPPP being maintained on site from 08:00 am to 5:00 pm (Part II, A.2.A) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| B. Is the SWPPP properly signed as required by Part II, A.2.A of the permit? | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| C. Is the SWPPP being updated as required by Part II, A.3 of the permit? | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |

D. Site map in SWPPP (Part II, A.4.F)

- | | |
|---|--|
| D. Site map in SWPPP (Part II, A.4.F) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 1) Pre-construction topographic view (Part II, A.4.F.1); | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 2) Direction of stormwater flow (i.e., use arrows to show which direction stormwater will flow) and approximate slopes anticipated after major grading activities (Part II, A.4.F.2); | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 3) Delineate on the site map areas of soil disturbance and areas that will not be disturbed under the coverage of this permit (Part II, A.4.F.3) | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 4) Location of major structural and nonstructural controls identified in the plan (Part II, A.4.F.4) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 5) Location of main construction entrance and exit (Part II, A.4.F.5) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 6) Location where stabilization practices are expected to occur (Part II, A.4.F.6) | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |
| 7) Locations of off-site materials, waste, borrow area, or equipment storage area (Part II, A.4.F.7) | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE |
| 8) Location of areas used for concrete wash-out (Part II, A.4.F.8) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 9) Location of all surface water bodies (including wetlands) (Part II, A.4.F.9) | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE |
| 10) Locations where stormwater is discharged to a surface water and/or municipal separate storm sewer system if applicable (Part II, A.4.F.10) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 11) Locations where stormwater is discharged off-site (should be continuously updated) (Part II, A.4.F.11) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 12) Areas where final stabilization has been accomplished and no further construction phase permit requirements apply (Part II, A.4.F.12) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |

E. Stormwater Controls

- | | |
|--|--|
| 1) Are all controls installed as described in the SWPPP (Part II, A.4.G) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 2) Silt fences properly installed and maintained (Part II, B.17.A) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 3) Check dams and velocity dissipation devices properly installed and maintained (Part II, B.17.A) | <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE |
| 4) Sedimentation basins and sediment traps properly installed and maintained (sediment removed when 50% capacity) (Part II, B.17.A) and (Part II, A.4.G.1.e) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 5) Has sediment that has gotten offsite been removed? (Part II, A.4.G.1.d) | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 6) Is construction site entrance sufficiently stabilized to prevent off site tracking? (Part II, A.4.H.2) | <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE |
| 7) Are stabilization methods described in SWPPP being implemented in a timely manner? (Part II, A.4.G.2) | <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE |

F. Inspections	
1) Inspection Frequency in SWPPP – <input checked="" type="checkbox"/> Once every 7 days <input type="checkbox"/> 14 days and after ½ inch rain event	
1a) If inspection frequency is every 14 days, do they have a rain gauge on site? (<i>Part II,A.4.L.1.b</i>)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
1b) Is rain gauge properly installed? (nothing obstructing rain gauge) (<i>Part II,B.17.A</i>)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
2) Are inspection records being maintained on site? (<i>Part II,A.4.L.3</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3) Are ADEQ inspection forms being used or do the forms contain the elements required by the permit? (<i>Part II,A.4.L.2</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3a) Inspector Name and Title (<i>Part II,A.4.L.2.a</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3b) Date of Inspection (<i>Part II,A.4.L.2.b</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3c) Amount of Rainfall and Days Since Last Rain Event (only if inspection frequency is 14 days) (<i>Part II,A.4.L.2.c</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3d) Approximate beginning and duration of the storm event (<i>Part II,A.4.L.2.d</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3e) Description of any discharges during inspection (<i>Part II,A.4.L.2.e</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3f) Locations of discharges of sediment/other pollutants (<i>Part II,A.4.L.2.f</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3g) Locations of BMPs in need of maintenance or where maintenance was performed (<i>Part II,A.4.L.2.g</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3h) If the BMPs are in working order and if maintenance is required (when scheduled and completed) (<i>Part II,A.4.L.2.h</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3i) Locations that are in need of additional controls (<i>Part II,A.4.L.2.i</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3j) Location and Dates When Major Construction Activities Begin, Occur or Cease (<i>Part II,A.4.L.2.j</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3k) Report Signature of Inspector (<i>Part II,A.4.L.2.k</i>)	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE
4) Are inspections conducted in accordance with the requirements of the SWPPP? (<i>Part II,A.4.L</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
5) Are corrective actions being implemented within 3 business days? (<i>Part II,A.4.M</i>)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
G. Stormwater management	
1) Is solid waste being controlled as described in SWPPP? (<i>Part II, A.4.H.1</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
2) Are stabilized buffer zones being maintained? (25 feet from stream, 50 feet if 303 d, TMDL, ERW, ESW or NSW) (<i>Part II, A.4.G.2.b</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
3) Have velocity dissipation devices been installed at discharge points, within concentrated flow areas serving two or more acres and along drainage courses where required to prevent erosive flows (<i>Part II, A.4.G.3.b</i>)	<input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> NA <input type="checkbox"/> NE
4) Has silt or sediment gotten off the construction site? A.C.A. § 8-4-217(a)(2)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
5) Has silt and sediment been discharged to the waters of the state? A.C.A. § 8-4-217(a)(2)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
If yes, give the name of the stream or water body: <u>Lake Hamilton</u>	
6) Is the washout of concrete being done at the designated location? (<i>Part II,A.4.G.8</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
7) Does the liquid waste from concrete washout reach the waters of the state? (<i>Part II, A.4.H.5</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
8) Are fuel storage areas protected as described by SWPPP? (<i>Part II, A.4.H.6</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
9) Have temporary erosion controls been removed from areas finally stabilized? (<i>Part II, A.4.G</i>)	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
10) Are there any allowable non-stormwater discharges that have not been addressed in the SWPPP (<i>Part II, A.4.I</i>)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
11) Are there any process waters or non-stormwater discharges that are not allowed under the permit being discharged? A.C.A. § 8-4-217(b)(1)(E)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/> NE
12) Does the SWPPP include the required information about employee training (dates of training, records of training, etc.) (<i>Part II,A.4.N</i>)	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> NA <input checked="" type="checkbox"/> NE

E. Comments and Observations:

NPDES Compliance Inspection Report Further Explanation

Sec. I, A – The most current NOC is not posted at the entrance to the site. The old NOC is posted and barely legible due to the weathered conditions.

Sec. II, C – The SWPPP is not being kept updated as required. Some pages were noted as being voided and refer to the update revisions, however; no updated revisions could be located in the onsite documents.

Sec. II, D – Inadequate site maps. Currently there are two maps covering the same project area. When specific changes are made to the site some are being documented on one map and not on the other. One map covering either the entire project area or more than one map with each covering a portion of the project area is suitable, however, in order to eliminate conflicting information, when a change is documented it should be done on one map.

Sec. II, D, 2 – The direction of stormwater flows was not found in the maps.

Sec. II, D, 4 – Not all structural controls are included on the maps. This includes the storm drain inlet protection devices. Additionally, these should be included as an item that gets evaluated during the weekly inspections.

Sec. II, D, 11 – Locations on the map where stormwater is discharged off site was not found and / or accurate. Stormwater from a pit dewatering project that was taking place during the inspection was found to be discharging offsite. No controls were located in this area and this discharge location was not indicated on the map.

Sec. II, D, 12 – Areas where final stabilization has been accomplished was not indicated on the map. One map showed BMP's (silt fences) to still be in place around all lots on Phase I, however, most of Phase I has been completed. All but a few homes have been finished and the yards have been sodded.

Sec. II, E, 2 – Maintenance was found to be needed to the silt fencing in some areas. Some fencing was down and undercutting was noted in some places.

Sec. II, E, 4 – The sediment pond for Phase II appears to be incorrectly utilized. The storm water drainage system has been piped so that this pond only receives runoff from the stormwater inlets located along the paved streets. Although this pond will provide some benefit by reducing the amount of sediment that leaves the site, it can only remove sediment that may enter the curbside storm drains.

Sec. II, E, 5 & Sec. II, G, 4 – Sediment and mostly fine shale particles has gotten off site and were found in the roadside ditch on the south side of the project, just above an inlet to Lake Hamilton. This material has not been removed as required.

Sec. II, F – Some maintenance activities are being recorded by onsite personnel, however, these are not tied to any maintenance activities found to be needed and documented in an inspection report.

Sec. II, F – The facility is using the old inspection forms and lack a beginning and duration of a storm event, description of any discharges during an inspection, locations of discharges of sediment, locations of BMP's in need of maintenance or where maintenance was performed, locations in need of additional controls and locations and dates of when major construction activities begin, occur or cease.

Sec. II, F – The most recent facility inspection report evaluated, dated 1-11-2012, indicated that no maintenance was needed.

However, during this inspection, maintenance was indeed noted to be required. For instance, the inspection report stated that all silt fences were buried, however, several areas of unburied silt fence were found.

Sec. II, F, 1 – There is no indication in the SWPPP stating the frequency that inspections will be conducted.

Sec. II, F, 4 – Site inspections are not being done every seven days as stated by onsite personnel to be the inspection frequency. A stormwater site inspection was performed on 1-11-2012 and the previous stormwater site inspection was performed on 12-20-2011.

Sec. II, G, 1 – A high amount of solid waste was found to be scattered around the few construction sites on Phase I and also in a few locations of Phase II.

Sec. II, G, 5 & Sec. II, F, 3i – Sediment from one particular lot in the south west corner of Phase I is entering a tributary of Lake Hamilton. This is due to dirt work being done to the edge of this tributary. This was evidenced by the turbidity in this creek. Also, during the inspection, a pit was being dewatered with the use of a trackhoe. This runoff was flowing offsite and into a neighboring pond. No stormwater controls were located in this area.

Sec. II, G, 6 – Unsatisfactory concrete washout area. Currently concrete is being washed out in an uncontrolled area. NO BMP's are in place to prevent runoff.

Sec. II, G, 7 – The diesel fuel storage area may be unsuitable for containing any fuel spills. The fuel tank is stored in a pit lined with plastic. The inspection was performed after a rain event that left several large puddles around the site. No stormwater was found to be in the containment area. It is possible that this plastic may be compromised.

Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	1	Of	14	Date:	1-11-2012	Time:	
Description:	Using a trackhoe to dewater a pit with off-site runoff						



Photographer:	Tommy Kerr			Witness:	None		
Photo #	2	Of	14	Date:	1-11-2012	Time:	
Description:	Runoff of pit dewatering. No controls. Runoff enters pond at treeline.						



Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	3	Of	14	Date:	1-11-2012	Time:	
Description:	Pit dewatering runoff offsite with no controls						



Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	4	Of	14	Date:	1-11-2012	Time:	
Description:	Pit dewatering water into offsite pond on adjacent property.						



Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	5	Of	14	Date:	1-11-2012	Time:	
Description:	Uncontrolled concrete washout area. No offsite runoff.						



Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	6	Of	14	Date:	1-11-2012	Time:	
Description:	Diesel fuel storage system						



Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	7	Of	14	Date:	1-11-2012	Time:	
Description:	Silt fence conditions						



Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	8	Of	14	Date:	1-11-2012	Time:	
Description:	Silt fence conditions; note undercutting						



Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	9	Of	14	Date:	1-11-2012	Time:	
Description:	Silt fence conditions; note undercutting and unburied						



Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	10	Of	14	Date:	1-11-2012	Time:	
Description:	Phase II sediment pond. Upper pipe connected to storm drain inlets. No other runoff to pond. Two lower pipes discharge to street side ditch, then to Lake Hamilton						



Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	11	Of	14	Date:	1-11-2012	Time:	
Description:	Solid waste on site.						



Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	12	Of	14	Date:	1-11-2012	Time:	
Description:	Unstabilized lot with direct runoff into small tributary. Notice turbid conditions of creek. This enters Lake Hamilton						



Water Division NPDES Photographic Evidence Sheet

Location:	Hamilton Park Addition						
Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	13	Of	14	Date:	1-11-2012	Time:	
Description:	Where tributary from subdivision enters Lake Hamilton. Slight turbidity.						



Photographer:	Tommy Kerr			Witness:	Shan Lynch		
Photo #	14	Of	14	Date:	1-11-2012	Time:	
Description:	Sediment and fine shale in roadside ditch from construction project.						



ADEQ

ARKANSAS
Department of Environmental Quality

February 8, 2012

CERTIFIED MAIL: 91 7199 9991 7030 4904 5109

Mr. Darren Baker, Owner
Stephens/Baker Development
Hamilton Park Edition
12913 I-30
Benton, AR 72015

RE: NPDES General Permit No. ARR152120, AFIN 26-00980
Failure to Respond to Inspection #063337

Dear Mr. Baker:

The Department has not received your response to the January 11, 2012 inspection of your facility by our District Field Inspector, Shan Lynch. The inspection noted several violations at your construction site. Please review the inspection report that was sent to you on January 11, 2012 and submit a response containing detailed documentation describing the course of action taken to correct each item noted. Please provide a written response with photo documentation by February 20, 2012.

Please be advised that a continuing lack of cooperation in this matter may result in formal enforcement action. Such action would include but would not be limited to the assessment of a monetary penalty.

Should you have any questions, feel free to contact me at 501-682-0632 or you may e-mail me at bolenbaugh@adeq.state.ar.us.

Sincerely,



Jason Bolenbaugh
Enforcement Analyst
Water Division Enforcement Branch

Bolenbaugh, Jason

From: Bolenbaugh, Jason
Sent: Tuesday, February 14, 2012 1:12 PM
To: 'mdarrenbaker@yahoo.com'
Subject: Inspection Report
Attachments: 063337-insp.pdf

Mr. Baker,

Here is a copy of the inspection report that was initially mailed to you on January 17, 2012. Per our conversation I have extended your response date to February 29, 2012. Please let me know if you have any questions.

Thank you,

Jason Bolenbaugh
Enforcement Analyst
Water Division – Enforcement Branch
Phone: 501-682-0632
Email: bolenbaugh@adeq.state.ar.us

Bolenbaugh, Jason

From: SBDI Benton <sbdi Benton@yahoo.com>
Sent: Wednesday, February 29, 2012 5:46 PM
To: Bolenbaugh, Jason
Subject: RE: Inspection
Attachments: SBDI - ADEQ Letter.PDF

Please see the attached letter.

Thank you,

Brittney Bearden

Stephens-Baker Development, Inc.
Executive Assistant
12913 Interstate 30
Benton, AR 72015
Phone: 501-317-0730
E-Fax: 501-708-2709

From: Bolenbaugh, Jason [<mailto:BOLENBAUGH@adeq.state.ar.us>]
Sent: Wednesday, February 29, 2012 2:37 PM
To: 'sbdi Benton@yahoo.com'
Cc: mdarrenbaker@yahoo.com; Lynch, Shan
Subject: Inspection

Brittany,

Here is the January 11, 2012 inspection report that you requested. Also attached to the inspection report is the certified letter I sent Mr. Baker on February 8, 2012, and an email that I sent him on February 14, 2012, granting him an extension to February 29, 2012. If you have any questions please let me know.

Thank you,

Jason Bolenbaugh
Enforcement Analyst
Water Division – Enforcement Branch
Phone: 501-682-0632
Email: bolenbaugh@adeq.state.ar.us

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February 29, 2012

Jason Bolenbaugh
Enforcement Analyst
Water Division – Enforcement Branch
5301 Northshore Dr.
North Little Rock, AR 72118-5317

RE: AFIN: 26-00980

NPDES Permit #: ARR152120

Dear Mr. Bolenbaugh,

In response to our recent Notice of Violations letter that was received on January 17, 2012, Stephens-Baker Development, Inc. has made the following corrections to be in compliance with ADEQ:

1. The old NOC has been removed. The current NOC has been posted at the entrance site.
2. The SWPPP has been updated to be in compliance with ADEQ requirements. The updated revisions have been made and placed in onsite documents.
3. We have updated the current site map to reflect any and all changes. Duplicated maps has been removed from site to ensure no conflicting information.
4. The flow of storm water as been added to site map to show the direction of flow.

5. The site map has been updated. This includes the storm drain inlet protection devices, and has been added to be evaluated on weekly inspections.
6. Controls have been placed at pit site and updated on site map.
7. Site map has been updated showing current BMPs.
8. All silt fences that were inadequate have been corrected and all silt fences have been maintained to meet ADEQ requirement.
9. Pond is in place to catch run off from two storm drains. Pond has been approved for such purpose. Pond is not intended to catch water from anywhere else other than the two drains specified. Final grading has not occurred for surrounding lots.
10. The sediment and other fine shale particles has been removed that was found in road side ditch.
11. Old forms have been replaced with new forms that show when maintenance occurs and when maintenance ceases.
12. The current inspections reports have been updated. The reports show that the unburied silt fences have been corrected.
13. SWPPP has been updated stating that inspections will be conducted weekly or after a half an inch rain or greater.
14. Onsite personnel have been instructed to do site inspections every seven days.
15. All solid waste has been removed from construction site and will be maintained as construction persists.
16. Sediment is being removed and disposed of properly from specified lot in the southwest corner of Phase 1. Storm water controls are being added to control sited runoff.
17. Concrete washout area has been established in a controlled area and BMP's are in place to prevent runoff.

All violations have been correct to be in compliance with ADEQ requirements. All personnel have been directed to perform maintenance that is required and not to falsify any information on an inspection report.

Diesel fuel tank has been completely removed offsite.

Photos have been taken and will be sent to your attention ASAP. We have currently have technical issues loading pictures from camera. Thank you for your understanding in this matter.

If you should have any further question or need further information please feel free to contact Kevin Rash at 501-249-9991 or e-mail at kevinwrash@gmail.com or Travis Baker by telephone at 501-249-1993 or e-mail at sbdibaker@yahoo.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Baker', written in a cursive style.

Travis Baker
Project Manager
Stephens-Baker Development, Inc.

Bolenbaugh, Jason

From: Bolenbaugh, Jason
Sent: Thursday, March 01, 2012 3:22 PM
To: 'SBDI Benton'
Subject: RE: Inspection

Ms. Bearden,

I have reviewed the inspection response as well as visited the site; however, the Department requires that all documentation be received before rendering a decision as to the completeness of the response. Please submit the photo documentation you referenced in the response close of business on Friday, March 2. If you have any questions please contact me.

Thank you,

Jason Bolenbaugh
Enforcement Analyst
Water Division – Enforcement Branch
Phone: 501-682-0632
Email: bolenbaugh@adeq.state.ar.us

From: SBDI Benton [<mailto:sbdibenton@yahoo.com>]
Sent: Wednesday, February 29, 2012 5:46 PM
To: Bolenbaugh, Jason
Subject: RE: Inspection

Please see the attached letter.

Thank you,

Brittney Bearden

Stephens-Baker Development, Inc.
Executive Assistant
12913 Interstate 30
Benton, AR 72015
Phone: 501-317-0730
E-Fax: 501-708-2709

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Cc: mdarrenbaker@yahoo.com; Lynch, Shan
Subject: Inspection

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Thank you,

Jason Bolenbaugh

Enforcement Analyst

Water Division – Enforcement Branch

Phone: 501-682-0632

Email: bolenbaugh@adeq.state.ar.us

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