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SEP 15 2009

CERTIFIED MAIL 91 7108 2133 3936 3707 2629

Ingram Tynes
820 Shades Creek Parkway
Suite 200
Birmingham Alabama 35209

RE: NOTICE OF VIOLATION - Written Reply Required
Construction & Land Disturbance
Registration ALR16D930
ADEM Admin. Code Ch. 335-6-12
Cotswold Subdivision
Jefferson County (073)

Dear Mr. Tynes:

Attached please find a report prepared as a result of an inspection conducted at Cotswold Subdivision on August 11, 2009. The following deficiency(s) or violations noted during the inspection constitute(s) violation(s) of the Alabama Water Pollution Control Act Ala. Code, §§22-22-1 through 22-22-14 (2006 Rplc. Vol.), and ADEM Admin. Code chap. 335-6-12.

1. Appropriate, effective Best Management Practices (BMPs) for the control of pollutants in stormwater run-off have not been fully implemented and regularly maintained to the maximum extent practicable resulting in the potential for uncontrolled discharges of sediment and other pollutants to an unnamed tributary to the Little Cahaba River, a water of the State of Alabama.
2. Accumulations of sediment were observed offsite and in State waters downgradient/downstream of stormwater discharge outlets at the facility.
3. The facility identification was not displayed.

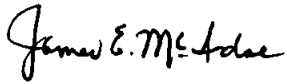
Not later than 15 days from the receipt of this letter, Cotswold Development Ltd. is required to submit to the Department a written report prepared by a QCP, authorized to practice in Alabama, showing the steps that have been taken to correct these violations. Such submittals shall be mailed or delivered to Heather Griffin at the Montgomery address listed above and should arrive at the Department's Montgomery Office by the required submittal date. Failure to submit the document required by this notice is a violation of Water Pollution Control Act, Ala. Code, §22-22-9(e) (2006 Rplc Vol) for which civil penalties or criminal fines may be imposed.

The Department encourages you to voluntarily consider pollution prevention strategies to resolve these present and prevent potential future violations.

Please be aware that due to the serious nature of these violations, the Department is considering additional enforcement to include possible civil penalties.

If you have any questions concerning this inspection, stormwater permitting, compliance issues, or Departmental procedures, please contact **Heather Griffin by email at hgriffin@adem.state.al.us or by phone at (334) 394-4321.**

Sincerely,



James E. McIndoe, Chief
Water Division

JEM/jk File: ENOV/34623

Enclosure: Inspection Report
 Photographs

cc: Heather Griffin



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