UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

OCT 12 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Article Number: 7005 3110 0000 5951 9035

Mr. Zygmund Wilf, President
Garden Homes, Inc.
820 Morris Turnpike Suite 301
Short Hills, New Jersey 07078

Re: Request for Information Pursuant to Section 308 of the Clean Water Act
Garden Homes, Inc.
Docket No. CWA-IR-13-001

Dear Mr. Wilf:

The United States Environmental Protection Agency (EPA) is charged with the protection of human health and the environment under the Clean Water Act (CWA or Act), 33 U.S.C. §§1251 et seq. Section 308(a) of the CWA, 33 U.S.C. §1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. §1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility and its related appurtenances.

Garden Homes, Inc. is hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), to submit the documents and information requested in **Enclosure 2**.

In responding to each Requested Item, please adhere to the Instructions and Definitions in **Enclosure 1**.

You must provide the information requested no later than **thirty (30)** calendar days from the date of receipt of this letter. Requests for additional time must be justified, and must be requested for EPA approval within fifteen (15) calendar days of your receipt of this letter. The response to **Enclosure 2** must be signed by a responsible official or agent of your company.

Any documents to be submitted by Garden Homes, Inc. must be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 C.F.R. §122.22), and shall include the certification in **Enclosure 3**.

All information required to be submitted by this Request for Information shall be sent by certified mail or its equivalent to the following address:

Doughlas McKenna, Chief
Water Compliance Branch
Division of Enforcement and Compliance Assistance
290 Broadway, 20th Floor
New York, NY 10007-1866

This information request is not subject to the requirements of the Paperwork Reduction Act, as amended, 44 U.S.C. §§3501 et seq.

Failure to respond to this letter truthfully and accurately within the time provided may subject you to sanctions authorized by federal law.

If you have any questions regarding this Request for Information, feel free to have your staff contact Ms. Kimberly McEathron, Physical Scientist at (212) 637-4228.

Sincerely,

Christy Anzen

for Doughlas McKenna, Chief
Water Compliance Branch

Enclosures

cc: Joseph DiMura, NYSDEC
Marcedius T. Jameson, NJDEP

ENCLOSURE 1

INSTRUCTIONS AND DEFINITIONS

In responding to this Request for Information, apply the following Instructions and Definitions:

1. The signatory should be an officer or agent who is authorized to respond on behalf of the company or facility. The signatory must sign the attached "Certification of Answers to Request for Information" for Enclosure 2 and return the response to the address specified for the Enclosures.

2. A complete response must be made to each individual Item in this Request for Information. Identify each response with the number of the Requested Item to which it is addressed.

3. In preparing your response to each Requested Item, consult with all present and former employees and agents of the company or facility whom you have reason to believe may be familiar with the matter to which the Requested Item pertains.

4. In responding to each Requested Item, identify all contributing sources of information. Every source of information to which you have access should be consulted, regardless of whether the source is in your immediate possession or control.

5. It is your responsibility to try to obtain any information pertinent to any Requested Item. If you are unable to respond to a Requested Item in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any Requested Item, state that person's name and last known address and phone number and the reasons for your belief.

6. If you cannot provide a precise response to any Requested Item, please approximate and state the reason for your inability to be specific.

7. For each document produced in response to this Request for Information, indicate on the document or in some other reasonable manner the number of the Requested Item to which it applies. For your information, "documents" shall include, but not be limited to, the following: papers, books, records, letters, photographs, correspondence, communications, telegrams, cables, memoranda, batch sheets, other work papers, ledger sheets, transcripts, minutes, reports, and recordings of telephone or other conversations, or of interviews or of conferences, or of other meetings, affidavits, statements, summaries, opinions, reports, studies, drafts, analyses, bulletins, notices, announcements, instructions, charts, manuals, brochures, publications, schedules, journals, statistical records, diaries, lists, logs, well logs, field logs, tabulations, computer printouts, invoices, checks, notes, diagrams, maps, graphs, or materials with handwriting or other printing on them and other tangible material.

8. If anything is deleted from a document produced in response to the Request for Information, state the reason for and the subject matter of the deletion.

9. If a document is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

10. "Person," for the purposes of this Request for Information, means, but is not limited to, an individual, corporation, partnership or association, pursuant to Section 502(5) of the Act, 33 U.S.C. §1362(5).

11. "Pollutant," for the purposes of this Request for Information, means, but is not limited to, solid waste, dredged spoil, rock, sand, cellar dirt, sewage, sewage sludge, and industrial, municipal and agricultural waste discharged into water, pursuant to Section 502(6) of the Act, 33 U.S.C. §1362(6)

12. "Discharge of a pollutant," for the purposes of this Request for Information, means any addition of any pollutant to navigable waters from any point source, pursuant to Section 502(12) of the Act, 33 U.S.C. §1362(12).

13. The "person" or "Company", for the purposes of this Request for Information, is Garden Homes, Inc and its parent, subsidiary, partner and affiliate companies.

14. "Owner or Operator," for the purposes of this Request for Information, means the owner or operator of any facility or activity subject to regulation under the National Pollutant Discharge Elimination System (NPDES) program.

15. "Construction Site," for the purposes of this Request for Information, means any Site subject to regulations at 40 C.F.R. §122.26(b)(14)(x) and 40 C.F.R. §122.26(b)(15)(i).

16. Unless the Requested Item clearly provides otherwise, each Requested Item in Enclosure 2 must be answered for each Construction Site identified in Requested Item 1.

ENCLOSURE 2

REQUEST FOR INFORMATION
PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Garden Homes, Inc., or its authorized representatives, shall submit the following information regarding **each** Construction Site described in Requested Item 1 below, within **thirty (30)** calendar days of receipt of this Request for Information (RFI):

1. A complete listing of all Construction Sites in New Jersey, New York, Puerto Rico and the Virgin Islands, that are one (1) acre or greater; that are either under construction, have not undergone final stabilization, or are under contract for construction; and are owned or operated by Garden Homes, Inc., any of its parent companies, any of its subsidiaries, any of its partners, any of its affiliates or any other entity under the control or management of Garden Homes, Inc. including but not limited to Garden Homes, Inc., Garden Home, Inc., Garden Communities Inc., Garden Homes Management, Garden Commercial Properties, Garden Properties Corporation, Turtle Creek Developers, Inc., Knoll Manor Associates, Dunbar Homes, Inc., Pineview Homes, Minac Corp, K&K Developers, Inc., and Scenic Hill.

2. The Construction Site list submitted in response to Requested Item 1 above must include the following for each Construction Site:

    a. The Construction Site name, street and/or location, city, and zip code (including Latitude and Longitude coordinates);

    b. The total area (in acres) of the Construction Site, the total disturbed area (in acres) of the Construction Site, the total area of the greater plan of development and the total number of separate and/or subdivided sites planned for the greater plan of development. Note that the total area of the Construction Site also includes any associated storage areas or other areas that are part of the common plan for the Construction Site or where auxiliary activities take place;

    c. Whether an application for stormwater discharge permit coverage has been submitted for the Construction Site in accordance with NPDES regulations, and if so, include the following:

        i) Date NPDES coverage began;
        ii) A copy of the Request for Authorization (for sites in NJ) or Notice of Intent (for sites in NY/PR/VI);
        iii) A copy of the Permit Authorization (for sites in NJ) or Letter of Acknowledgement (for sites in NY/PR/VI); and
        iv) Permit authorization number.

d. The date that the construction began or is scheduled to begin and the date that construction is expected to be completed at the Site;

e. Dates that the Stormwater Pollution Prevention Plan (SPPP) (for sites in NY/PR/VI) or Soil Erosion and Sediment Control Plan and Waste Control Component (SESCP) (for sites in NJ) was developed and implemented;

f. The name(s) of the subsidiary company, address, telephone number and contact person(s) full name(s) for each of the owners or operators of the Construction Site, including a list of subcontractors at each Construction Site who are responsible for SPPP or SESCP implementation and/or maintenance;

g. A description, drawing and/or map that explains where stormwater is collected at the Construction Site and also all discharge location(s) for stormwater including but not limited to, runoff, culverts, ditches, separate storm sewer systems, combined sewer systems, streams, lakes and wetlands. Also include the name of the receiving body or bodies of water for stormwater discharges from the Construction Site.

ENCLOSURE 3

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION FOR ENCLOSURE 2

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

_____
Name (print or type)

_____ _____
SIGNATURE DATE

_____
TITLE