



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Erie County
Huron Boat Ramp
Construction
Storm Water

July 30, 2009

Mr. David Kieffer
Huron Boat Ramp
41 East Cleveland Street
Huron, Ohio 44839

Mr. Paul Miller
Haynes Construction
3130 Route 18
Norwalk, Ohio 44857

Mr. Richard Hertzfeld, P.E.
Poggemeyer Design Group, Inc.
1168 N. Main Street
Bowling Green, Ohio 43402

Dear Mr. Kieffer, Mr. Miller, and Mr. Hertzfeld:

On July 13, 2009, Lynette Hablitzel and I inspected the Huron Boat Ramp construction site located at 41 East Cleveland Street, Huron. The purpose of the visit was in response to two complaints regarding a lack of sediment and erosion controls addressing runoff from disturbed ground on the east bank of the Huron River. The site has coverage under the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity (Construction General Permit), Facility ID No. 2GC02362. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. Ohio EPA has no record of other permittees for this site. Mr. Chris Horn, Haynes Construction, and Mr. Frank Harris, Poggemeyer Design Group, were present to provide information. Ohio EPA has not received a Co-Permittee Notice Of Intent (NOI) application for this project. This form is used by construction site operators, as defined in Part VII.O. of the Construction General Permit, to become co-permittees with the initial permittee of a construction site. Please note that Part II.A of the Construction General Permit (or CGP) **requires all operators at a construction site to become co-permittees.**

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It appears that Haynes is responsible for the day-to-day operation of the site and implementation of the Storm Water Pollution Prevention Plan (SWP3). This letter serves to notify Haynes Construction of these permitting obligations. Please submit a Co-Permittee NOI to this office or an explanation of why your company is not an "operator". Copies of the Co-Permittee NOI may be downloaded from our website at <http://www.epa.state.oh.us/dsw/storm/index.html>.

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

1. At the time of the inspection, the site was active. Clearing and some grubbing had occurred along the Huron River's east bank. The old storm sewer that ran through the site was removed except for a small section which discharged to the Huron River, near the southwest corner of the site. Two detention ponds had been installed the week before and were at rough grade. A new storm sewer was being installed to the south and east of the larger pond, down the center of the site.
2. The SWP3 was on site and provided for examination. The placement of sediment controls on the site map appeared to only address conditions at final grade and did not address initial and interim grades. *This is a violation of Part III.G. of the permit.* We were informed that inspection logs were kept regularly and inspections were made by Chris Horn and Paul Miller, Haynes Construction. However, the logs were with Mr. Miller and not on site at the time of our inspection. Please submit copies to this office.
3. The site predominantly drains west towards the river, discharging thro two outfalls. Excavation had occurred in the southwest corner so the river bank was higher than the site in this location. Drainage appeared to be mainly through what remained of the existing storm sewer. Straw bales had been placed around the inlet to the sewer. The second outfall served two parallel detention ponds. The outlet structures were installed and the orifices were covered by filter fabric.

Straw bales are not an accepted sediment control. Due to the presence of concentrated flows, sediment settling ponds were required for this project. Permit Requires: Concentrated runoff and runoff from drainage areas which exceed the design capacity of silt fence or inlet protection shall pass through a sediment settling pond. Also, common drainage locations serving an area with ten acres or more disturbed at one time must have a sediment settling pond until final stabilization of the site.

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To qualify as a sediment settling pond, structures must meet the following specifications: a dewatering zone sized at 67 cubic yards per total contributing drainage acre; dewatering depth less than or equal to 5 ft. (optimal depths are between 3 to 5 ft.); for ponds serving five (5) acres or more, the dewatering zone shall have a minimum 48 hour drain time; a sediment storage zone sized at 1000 c.f. per disturbed acre; and the distance between inlets and the outlet at least 2:1 length: width ratio. This is a violation of Part III.G.2.d.ii. of the permit. Sediment settling ponds must be installed with appropriate outlet structures.

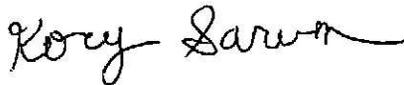
4. There was silt fence installed to the northwest end of the site near the river. This fence did not extend far enough northward to address all runoff and the fence did not curve upslope at the ends. Reportedly this was due to a debris pile, which is no longer present. There was also silt fence to the east of the entrance drive that was also not installed correctly, with gaps between the joints. Permit Requires: All erosion and sediment control practices used to meet the conditions of this permit should meet the standards and specifications of the current edition of Ohio's Rainwater and Land Development Manual (ODNR) or other standards acceptable to Ohio EPA. This is a violation of Part III.G.2. of your permit. Silt fence must be properly installed. Please be aware that a sediment control may be required near the toe of the riverbank when reshaping it. Filter socks may be an appropriate option as they tend to be easier to install than silt fence and are easier to fix if damaged by equipment.
5. Temporary and/or permanent stabilization had not been applied as required by the permit. There was a topsoil stockpile to the northwest of the site that has been idle for some time and will not be used until the site reaches final grade. There also appeared to be an area close to final grade located west of the entrance off State Route 6, but stabilization had not been applied. Clearing and grubbing of the river bank occurred on June 22, but the area has remained idle since and was not stabilized. Permit Requires: Portions of the construction site which will be inactive for more than 21 days must have temporary stabilization initiated within the first seven. Temporary stabilization is required prior to the onset of winter weather for ground that will be idle over winter. Permanent stabilization is required within seven (7) days on any portion of the site that has reached final grade or will be idle for longer than one (1) year. Soil stabilization practices shall be initiated within two (2) days on inactive, barren areas within 50 feet of a stream. Permanent seeding and mulching is required before construction activity is completed throughout the entire site.

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If seasonal conditions prohibit the establishment of vegetative cover, other means, such as mulching and matting, must still be used and maintained until more permanent methods can be implemented. Failure to do so is a violation of Part III.G.2.b.i. of the permit. Temporary stabilization must be applied.

Within 10 days of the date on this letter, please submit to this office written notification as to 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. If there are any questions, please contact me at (419) 373-3085.

Sincerely,



Korey Sarven
Division of Surface Water

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pc: ~~DSW/NWDO/Elite~~
Andrew White, City Manager, City of Huron
Paul Wetzel, U.S. Army Corps of Engineers
Paul Miller, Haynes Construction