



**Environmental
Protection Agency**

, Governor
, Lt. Governor
, Director

Re: Henry County
Route 24 Alignment
Construction Storm Water

September 8, 2010

Mr. Dan Meyer, P.E.
ODOT
317 E Poe Rd
Bowling Green, OH 43402

and

Mr. Larry Winkleman
Miller Bros Construction Inc.
1613 South Defiance St.
Archbold, OH 43502

Dear Mr. Meyer and Mr. Winkleman:

On August 4, 2010, I conducted a reconnaissance inspection of the Route 24 alignment in Henry County and on August 16, 2010, I conducted an inspection of the Route 24 alignment in Henry County in order to evaluate the construction site for compliance with the National Pollutant Discharge Elimination System (NPDES) Permit for storm water associated with construction activity, also known as a Construction General Permit (CGP). Inspections are conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. The Route 24 Alignment is located in Liberty and Washington Townships, Henry County.

The portion of the Route 24 alignment in Henry County appears to be covered under two different CGPs. Permit number 2GC002080*AG (ODOT PID #80443) covers the west project from CR 4A to current US 24 east of Napoleon. Permit number 2GC002270*AG (ODOT PID #80446) covers the central project from CR 4A to the Henry-Lucas line. Estimated completion dates for the west project is November 2011 and for the central project is November 2012.

The inspection included a tour of the construction site from SR 24 to the Henry-Lucas line. Mr. Ron Trivisonno and Mr. Mike Benten, both of ODOT, Mr Shannon Clark and Mr. Dan Strawser both of MBC, and Mr Steve Hamit of KCI were present for the west project inspection and Mr. Ron Trivisonno and Mr. T. J. Zura, both of ODOT, Mr. Dan Strawser of MBC, and Mr Steve Hamit of KCI were present for the central project inspection.

Observations from my inspections are as follows:

1. For post construction controls, the storm water is directed to vegetated roadside drainage ditches and swales with rock energy dissipaters.

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2. During my reconnaissance inspection on August 4, I observed significant erosion points from the under drain outlets on the south side of the project, north of CR S, east of 109. Part III.G.2.b.i of the CGP requires that areas that are dormant for more than 21 days but less than one year be temporarily stabilized. Once an area is at final grade or will remain dormant of one year or more, it must be permanently stabilized. From the amount of erosion, it was evident that this area had been dormant for longer than 21 days. These areas should have been noted in the inspection logs and addressed appropriately. *This is a violation of Part III.G.2.b.i. of the CGP.*
3. Erosion from the south side of the project, north of CR S, east of 109 appeared to be entering the roadside ditch. I did not observe any sediment ponds or basins that this area would discharge to. Nor was there any silt fence in evidence which would provide sediment control. *This is a violation of Part III.G.2.d. of the CGP which requires sediment control practices to trap sediment.*
4. In many areas, inlets have a Vertipro inlet protection device installed. Part III.G.2.d.iv of the CGP requires that inlet protection be installed unless the storm drain system drains to a sediment settling pond. Inlet protection alone may not be used for an area draining more than one acre. Part III.G.2. recommends that all erosion, sediment, and storm water management practices meet the standards and specifications in the current edition of Ohio's Rainwater and Land Development manual (Rainwater manual). The Rainwater manual states that inlet protection is not recommended as a primary means of sediment control and is most effective in capturing sand-sized particles.
5. Observation of the inlet protection on County Road 3 showed that the Vertipro does not provide protection in capturing sand particles. Observation of the Vertipro that was installed in the far west median area just east of existing SR 24 was not properly attached to the catch basin and allowed storm water to flow under the Vertipro. This particular catch basin does not discharge to a settling pond. Sediment was observed in the culvert to which this catch basin discharges. Sediment also appeared to have accumulated to ½ of the sides of the Vertipro and was in need of being cleaned. *This is a violation of Parts III.G.2.d.iv, III.G.2.d.vi, and III.G.2.h. of the CGP.*
6. On the Turkeyfoot overpass portion of the project, silt fence was installed along the haul road and above the rip rap lining the bank of the creek. Silt fence was installed in a double row below the actual crossing. The silt fence along the haul road needed maintenance. Between the double rows of silt fence, despite receiving straw mulch there was erosion in evidence in this area. In some of the areas where sloughing off occurs on the north side of the Turkeyfoot crossing, the silt fence did not appear to be holding back the sediment. The inlet just north of the Turkeyfoot overpass needs to have silt removed more often or consider a higher fence. *This is a violation of Part III.G.2.h of the CGP.*
7. In numerous areas, there are erosion patterns off the sides of the road on the berm. Some of this erosion was from slope drains. In many of these areas, there is stabilization except where the erosion has occurred. *This is a violation of Part III.G.2.b.i. of the CGP.*

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8. Silt fence is installed at the base of the slope near streams. In some places, where sediment had accumulated and was greater than one-half the height of the silt fence, a second silt fence was placed in front of the existing silt fence. In several areas, the placement of this second silt fence did not appear to be enough to keep the accumulated sediment from collapsing or overcoming the first silt fence with a storm event. An example of this was viewed on the north side of the project at the branch of Misamore Ditch. *This is a violation of Part III.G.2.h of the CGP.*
9. The sediment basin at the branch of Misamore Ditch appeared to have an over accumulation of sediment. It was unclear how it was determined when to remove accumulated sediment in the basins. It was also unclear how much drainage from off the site went to this basin. Polymer is placed in the riser pipe to aid in sedimentation. This requires that the riser pipe be inspected frequently to be determined if it needs cleaning. Sediment was observed on the downstream side of the riser pipe. It was stated that this sediment was backwashed from the stream at high flows. *This is a violation of Part III.G.2.d.ii of the CGP which requires that sediment is to be removed once the sediment storage zone is full.*
10. There was tracking from the construction entrance near County Road 2B in Henry County. *This is a violation of Part III.G.2.h of the CGP.*
11. During my review of the inspection logs for the central project, I came across a report of tar in a ditch which contained little information about the incident. I recommended that a complete report including the background of the discovery of the tar along with its removal and ultimate disposal be made and placed in the log.

Within 10 days of the date on this letter, please submit to this office **written notification** of 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 you have any questions, you may contact me at (419) 373-3016 or by e-mail at patricia.tebbe@epa.state.oh.us.

Sincerely,



Patricia A. Tebbe, P.E.
Division of Surface Water

/lb

pc: DSW-NWDO file
Ron Trivisonno, P.E. ODOT
Mike Benton ODOT
T.J. Zura, P.E. ODOT