



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Rd.  
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: Henry County  
Wendy's Napoleon  
Construction  
Storm Water

July 9, 2009

Mr. Doug Martin  
American Land Surveying and Engineering Inc.  
5225 Secor Road, Suite 3  
Toledo, Ohio 43623

Dear Mr. Martin:

On June 22, 2009, I inspected the Wendy's Restaurant on Wood Dr., Napoleon. The purpose of my visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with construction activity, Facility ID No. 2GC00542. 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.

It appears that construction activities at your site are complete. The restaurant was open and operational. It appears that the grass has reached 70% density. A Notice of Termination (NOT) must be filed to relieve you of the obligation to comply with this general permit. The permit allows an NOT to be filed when one or more of the following conditions have been met:

- Final stabilization has been achieved on all portions of the site for which the permittee is responsible. Final Stabilization means that:

All soil disturbing activities at the site are complete and a uniform perennial vegetative cover of at least 70% density has been established over the entire site. All temporary erosion and sediment control measures have been removed, properly disposed of, and all trapped sediment is permanently stabilized; or

- Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.

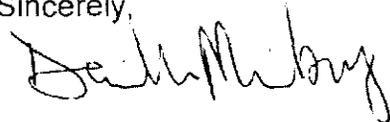
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If you feel that you meet the above criteria you must file the NOT form which can be found on our website: <http://www.epa.state.oh.us/dsw/storm/stormform.html>. NOTs must be submitted to Ohio EPA's Central Office within 45 days of when the above criteria are met.

Please send a written response describing what post construction storm water management practices are being implemented at the site within 10 days of the date on this letter. The permit requires that post-construction Best Management Practices (BMPs) are installed during construction to control pollutants in the storm water discharges that will occur after construction has concluded. Such practices may include, but are not limited to: storm water extended detention structures; retention structures; water quality swales; and bioretention areas. Your reply should include the type(s) of practices and the basis for its design.

If there are any questions, please contact me at (419) 373-3006.

Sincerely,



Danielle Meienburg  
Division of Surface Water  
Storm Water Program

/llr

pc: DSW-NWDO File  
Chad Lulfs P.E., City of Napoleon Engineer