

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korteski, Director

Re: Lucas County  
Lone Oak Crossing  
Construction  
Storm Water

January 5, 2011

Mr. Jeff Wehrle  
Forrester Wehrle Homes, Inc.  
4331 Keystone Drive, Suite A  
Maumee, Ohio 43537

Dear Mr. Wehrle:

On November 4, 2010, I inspected Lone Oak Crossing, Plat 1, located on the north side of Waterville Street, opposite Wycliffe Drive, Whitehouse. 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. 2 GC01000. In 2008, Ohio EPA received a Notice of Termination (NOT) for this project, to end permit coverage.

An NOT may be filed if one or more of the following conditions have been met:

- Final stabilization has been established on all areas of the site for which the permittee is responsible. Final stabilization means that either:
  1. 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 has been permanently stabilized; or
  2. For individual lots in a residential construction by either:
    - a. The homebuilder completing final stabilization as specified above or
    - b. The homebuilder establishing temporary stabilization, including perimeter controls for the lot prior to occupation of the home by the homeowner and informing the homeowner of the need for final stabilization; or
- Another operator(s) has assumed control over all areas of the site that have not been fully stabilized.
- For residential construction only, temporary stabilization has been completed and the lot, which includes a home, has been transferred to the homeowner.

As the majority of the lots remain unbuilt, the soil disturbing activities at the site are not complete. A uniform perennial vegetative cover of at least 70% has not been established across the entire site. Temporary sediment controls (silt fence and inlet protection) have not been removed. Ohio EPA has no record of permit coverage being transferred to another operator, including transfers of individual lots to homebuilders. According to the Lucas County Auditor's website (AREIS), the unbuilt lots are owned by Forrester Wehrle Homes. **Based on this information, you have not met the conditions to terminate permit coverage. Ohio EPA will maintain Lone Oak Plat 1's NPDES permit coverage until you submit a complete and accurate NOT form or until you fail to renew permit coverage when notified by the Agency.**

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

1. At the time of inspection, the site was inactive. Roads, curbs and utilities had been installed. Two homes have been completed. Due to the absence of personnel or a construction trailer, the Storm Water Pollution Prevention Plans (SWP3) and inspection logs were not reviewed.
2. The two extended detention ponds remain in place, one in the northeast corner and one in the southwest corner. Please keep in mind that since centralized sediment controls (sediment settling ponds) are required for this project, you are required to maintain responsibility for the implementation of those controls even when portions of the site are sold. Yard inlet protection near Waterville Street and Oak Crossing Lane was in disrepair, however, it could be removed in some locations. Silt fence had been installed adjacent to Lone Oak Ditch but was in disrepair. *Permit Requires:* All control practices shall be maintained and repaired as needed to assure continued performance of their intended function. *This is a violation of Part III.G.2.h. of the permit.*
3. The land east of the street appeared to have been seeded in the past. A mixed stand of grasses and weeds were present. For the ground west of the street, large areas remain bare. Rills and gullies were observed. *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 7 days on any portion of the site that has reached final grade or will be idle for longer than 1 year. Soil stabilization practices shall be initiated within two (2) days on inactive, barren areas within 50 feet of a stream. In addition, disturbed areas in residential subdivisions must be stabilized at least 7 days prior to transfer of permit coverage for the individual lot(s). Permanent seeding and mulching is required before construction activity is completed throughout the entire site. 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.* At a minimum, some type of temporary stabilization must be applied to all bare idle areas and maintained over winter. I recommend that all inactive, unstable areas be mulched (2 tons

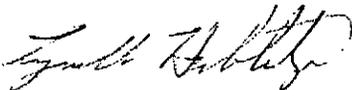
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straw/acre) until spring, when conditions are more favorable for permanent seeding. Due to the length of time that these soils have sat exposed, a proper seed bed will need to be prepared (regrading, possible addition of topsoil or soil amendments).

4. As was noted during my November 30, 2007, inspection, the ditch banks were eroding and had exposed a utility line near the north end of the road. Your February 20, 2008, letter stated that the ditch banks would be regraded, seeded and mulched no later than the end of April 2008. Based on the numerous rills and gullies present and the exposed utility, this does not appear to have happened. The banks along Lone Oak Ditch have not been properly stabilized since its relocation. The banks must be regraded and the appropriate method of stabilization used. This may require erosion control matting/blankets. *Permit Requires:* All erosion and sediment control practices used to meet the conditions of this permit shall 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. And, operators shall undertake special measures to stabilize channels, outfalls, and prevent erosive flows. *These are violations of Parts III.G.2. and 2.b.ii., respectively, of the permit.*

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 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) 373-3009.

Sincerely,



Lynette M. Hablitzel, P.E.  
Division of Surface Water  
Storm Water Program

/cs

pc: ~~DSW-NWDO-File~~  
Lucas SWCD  
Steven Pilcher, Director of Public Services, Village of Whitehouse  
Paul Wetzel, ACOE  
Andrew Hunter, ACOE, Buffalo District  
Jeff Boyles, CO-DSW