

**Environmental  
Protection Agency**

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

Re: Lucas County  
Construction  
Storm Water

September 22, 2010

Mr. Mike Gramza  
ODOT District 2  
317 E. Poe Road  
Bowling Green, Ohio 43402

Mr. James Peck  
Mosser Construction/Beaver Excavating  
122 S. Wilson Avenue  
Fremont, Ohio 43420

Dear Sirs:

On August 2, 2010, Ohio EPA received a complaint about a lack of sediment and erosion controls on the new US 24 project. On August 4 and 12, 2010, I inspected LUC-24-6.19, in Waterville Township. 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. 2GC02211. The inspection was conducted under the provisions of Ohio's water pollution control statutes, Ohio Revised Code (ORC) Chapter 6111. At the time of the August 12, 2010 visit, I met with ODOT representatives Dan Meyer, T.J. Zura, and David Geckle; Kevin White, Jacob Ford, of E.L. Robinson; Stan Allen and Chrissy Finch, of Beaver Excavating Company; and Brian Geffe, Mosser Construction. Photos were taken during the August 4, 2010, visit and copies are attached to this letter. Copies of inspection notes from both dates are also included.

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

1. The project is the realignment of US 24 and expansion into a 4 lane divided highway. This portion of the project involves 599 acres. At the time of both visits, the new US 24 and related ramps and overpasses were in various stages of construction. Most of the roadside ditches had been rough cut/graded and had temporary or permanent stabilization applied.
2. During my August 12, 2010 visit, the Storm Water Pollution Prevention Plan (SWP3) was available. The site map reflected the current location of controls. While drainage watersheds were delineated, the acreage of the watershed was not always noted, especially in cases where the drainage watershed was directed to a control other than a sediment settling pond. This information is a required component of the site's SWP3. *This is a violation of Part III.G. of the permit.*

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Inspection logs were also available. At times, Beaver Excavating had conducted weekly inspections instead of once every 7 days. *This is a violation of Part III. G.2.i. of the permit.* Inspections must be conducted once every seven calendar days and within 24 hours of a 0.5" or greater rainfall.

3. The original site map indicated that sediment settling basins or traps were to be installed where the project discharged to receiving waters. The Beaver Excavating inspector's notes showed (and my observations confirmed) that rock check dams had been installed instead. According to Beaver Excavating, the rock checks being used in lieu of sediment ponds consisted of ODOT Type D stone without choke stone or filter fabric. The reason for the change was that the invert of the constructed roadside ditches and receiving waters inside the construction area are below the invert elevations of the receiving waters outside the project area. Consequently, water backed up into the project area and resulted in detention. The consulting engineer (E.L. Robinson) believed that adequate detention time had been provided but did not have any supporting calculations or drawings to demonstrate that the sediment settling volumes/sediment storage volumes/dewatering times were achieved with the new design. After looking at the site, there appeared to be some areas with standing water in the receiving streams and a few areas where some water was standing behind the check dams. However, backwater conditions are not unusual and there are no exclusions in the permit from implementing sediment controls due to them.

*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 10 acres or more disturbed at one time must have a sediment settling pond until final stabilization of the site. 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 5 acres or more, the dewatering zone shall have a minimum 48 hr. 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.*

I recommend that sediment settling traps and basins be installed. I know many of the ditches have been seeded. In those situations where a good cover of vegetation has taken hold, I would accept installing the appropriate outlet structure if it can be done to meet the required volumes/depth/dewatering criteria listed in the permit (as opposed to reshaping the ditch). When installing outlet structures, please be sure to include special measures such as rip-rap and/or erosion control matting to stabilize the outfalls and downstream channels in accordance with Part III.G.2.b.ii. of the permit.

4. There were a few instances where neither a sediment control nor a rock check dam was in place to address runoff from the project. Such as:
  - a. During the August 4 visit, at the new SR 64 overpass... on the north side of the overpass's north approach, there did not appear to be a sediment control addressing drainage from the west or from the overpass's banks before it entered Blystone Ditch.
  - b. At the new Neapolis Waterville Road overpass, south of new US 24... On the south side of the Neapolis Waterville Road embankment, there was no sediment control for surface runoff from the east side of the Blystone Ditch culvert or the bank immediately above the culvert. Silt fence and rock checks had been installed in this area by the August 12 inspection.
  - c. North side of Neapolis Waterville Road embankment...At the time of the August 4 visit, there did not appear to be a sediment control for runoff from the east of the Blystone Ditch culvert or the bank above the culvert.
    - o SR 64 - Blystone Ditch (west of new US 24)...At the time of the August 12 inspection, sediment controls were needed on the south side of the existing SR 64.

*Permit Requires:* Structural practices shall be implemented to protect adjacent streams. *This is a violation of Part III.G.2.d.v. of the permit.*

5. There were instances where controls had not been properly installed. Storm drain inlet protection appeared to have been installed on all catch basins. In a few locations the fabric had not been entrenched. For example:
  - a. North of Dutch Rd: On August 4, catch basins in the median of the new US 24 had inlet protection but the fabric was not completely entrenched. The inverts of the top of the catch basins were a couple of inches above grade and the tributary drainage areas were small. The location of these catch basins are such that they should have been served by a sediment settling pond downstream.
  - b. Suter Ditch, crossing Neapolis-Waterville Road, west of Noward Road: On August 12, inlet protection was not entrenched and needed to be backfilled.

According to ODOT specifications and Ohio's Rainwater and Land Development Manual, stone is to be placed to stabilize the outlets of slope drains. A few instances were noted during my August 4, 2010 inspection where soil had eroded below the slope drains, such as along the new US 24 at Waterville-Monclova Road.

*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 the permit.* Proper inlet protection must be installed unless the area drains to a properly constructed sediment settling pond. Please check slope drains to insure that they have been properly installed.

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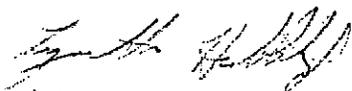
6. On August 4, I observed a lack of construction entrances and entrances needing maintenance where the route crossed existing roads. I did not see stone construction entrances where the project crossed Dutch Road. At the intersection of the new US 24 and Waterville-Monclova Road, I observed sediment tracking. No construction entrance was apparent where the new US 24 crossed the existing SR 64. Sediment tracking onto SR 64 was also observed. *This is a violation of Part III.G.2.g.ii. of the permit.* These issues had been addressed by the August 12 visit.
7. The majority of the project areas that were idle appeared to have grass cover or had been seeded and mulched. While earthwork was continuing on the new SR 64 overpass, the north side had rills on the bank slopes and sedimentation in the roadside ditch. This was observed during both my August 4 and 12 visits. On August 12, equipment was present removing sediment from the ditch. I recommend applying temporary seeding and mulch to the banks in accordance with Part III.G.2.b.i. of the permit.
8. On the south side of Dutch Road, east of the new US 24, silt fence had been placed around the top of the ditch bank. This area drains into a pipe, under Dutch Road, and into Farnsworth Ditch. I observed that the silt fence was not entrenched and there was a gully underneath it during my August 4, 2010 visit. It was in similar condition on my August 12, 2010, inspection. *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. Permit Requires: Control practices must be repaired within 3 days of inspection. This is a violation of Part III.G.2.i.i. of the permit.* Also, on August 12, silt fence had been removed by the pond that is located north of the Johns Mansville facility. A berm was placed next to the pond but had a small blow out. This control must be repair or replaced.

Within **7 days** of the date on this letter, please submit to this office **written notification** as to the reasons for the above mentioned comments as well as 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.

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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

/lb

enclosure

pc \*NWDO File:  
Lucas SWCD  
Follow up file  
Fritzie Schifferly  
Ron Trivisonno, ODOT, State Construction Hydraulic Engineer

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