

August 15, 2011

Ms. Rose McLean
401 Coordinator
Ohio Environmental Protection Agency
Division of Surface Water
P.O. Box 1049
Columbus, OH 43216-1049

Re: Lawrence/Perry/South Point
LEDC Point Intermodal Facility
401 Permit Application

Dear Rose,

Thank you for the follow-up letter to our preapplication meeting. On behalf of LEDC and J&H Erectors, we have prepared the 401 Permit Application. Enclosed with this letter you will find:

1. Copy of your preapplication meeting follow-up letter.
2. Complete 401 Water Quality Certification application form, including Attachment A which expands upon items in the 401 Water Quality Certification application.
3. Copy of the United States Army Corps of Engineers preliminary jurisdictional determination (PJD) letter indicating approval of Nationwide Permit (NWP) #39. Based on your preapplication meeting follow-up letter, OEPA confirmed the stream was determined to be an intermittent stream.
4. Copy of the United States Army Corps of Engineers application for NWP #14 to replace the existing NWP #39.
5. Copy of the Ohio Department of Transportation (ODOT) Categorical Exclusion (CE) Level 2. The ODOT CE Level 2 includes:
 - a. Documentation confirming ecological survey by ODOT (ODOT CE pp: 32-36)
 - b. Requested comments from the Ohio Department of Natural Resources (ODOT CE pp: 47-49) and the United States Fish & Wildlife Service (ODOT CE pp: 50-51) regarding threatened and endangered species, including the presence or absence of critical habitat.
6. Copy of the ODOT Memorandum of Agreement (MOA)
7. Site photographs can be found in the ODOT CE and MOA (ODOT CE pp: 37-41, 88-90) (MOA photos 1-6).

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8. Wetland characterization analysis consistent with the Ohio Rapid Assessment Method (ORAM) of a wetland by ODOT. This ORAM analyzed Wetland-7 and Ditch D-1. Wetland-7 is < 0.1 acres; 0.07 acres of this wetland is proposed to be impacted by this project. 550 LF of Ditch D-1 as identified by ODOT is the intermittent stream within the project limits. 450 LF of D-1 is proposed to be impacted.
9. Use attainability analysis: Based on the project being located on a Superfund site designated for industrial use and the Ditch D-1 having low flow conditions <1.5 feet, the stream is not recommended to be used for recreational or commercial water use. Wetland W-7 has a low ORAM rating of 17 of 100 and also is not recommended to be used for recreational or commercial water use because of the site's Superfund status.
10. Schematics, maps, and additional information included as Appendices as follows:
 - a. Appendix 1-County Map
 - b. Appendix 2-USGS Map
 - c. Appendix 3-Limits of Property
 - d. Appendix 4-Project Work Area
 - e. Appendix 5-Figure No. 1, Project Alternatives (shows plan views)
 - f. Appendix 6-Figure No. 2, Project Alternatives (shows cross sections)
 - g. Appendix 7-FIRM Map of the Proposed Mitigation Area
 - h. Appendix 8-USEPA Superfund Site Information
 - i. Current project design drawings reflecting Alternative 2 as currently permitted.
 - j. Applicable permit fees. A check for \$2,467.50 to Treasurer, State of Ohio. This fee was calculated based on (\$200 permit fee) +1/2 (\$10/LF* 450LF+\$500/acre *0.07 acre) due at time of application.

Should you have any questions or concerns throughout your review process, please do not hesitate to contact us via telephone (614) 835-0460 or email kris.ruggles@strand.com.

Sincerely,

STRAND ASSOCIATES, INC.®

Kristopher E. Ruggles

Enclosures