



DATE: 12/8/2023  
TO: Wisconsin Certified Bridge Inspectors and Highway Bridge Owners  
FROM: David Bohnsack, P.E.  
SUBJECT: ACTION: Documentation and Treatment of Materials Stored Under a Highway Bridges

FHWA issued a memo on 11/15/2023 reminding bridge owners of the hazards that can result from materials being stored under bridges. Additionally, the memo instructs bridge owners to direct inspectors to document materials found in the inspection report. The memo notes that materials considered flammable, explosive, or hazardous should be treated as a **critical finding**.

Bridge inspectors must identify and document in the inspection report any non-highway use materials or encroachment beneath any NBIS bridge, such as stored or dumped materials, parked vehicles, equipment, buildings, etc. If an inspector has concerns material under a bridge, if ignited, would threaten a bridge's structural capacity, or cause an imminent threat to public safety, the concern must be communicated to the bridge inspection program manager (PM), the bridge owner, and FHWA through the [Critical Findings process](#). Bridge owners must remove the materials and encroachments from beneath bridges that pose a risk of a fire event.

**For bridges constructed using federal funds**, if non-highway use facilities are located beneath a bridge or materials/items are allowed to remain beneath a bridge, a R/E agreement approved by FHWA is required. A copy of the agreement must be in the bridge file. A copy of an agreement can be emailed to [DOTDLTSDStructuresRecords@dot.wi.gov](mailto:DOTDLTSDStructuresRecords@dot.wi.gov) for saving in HSIS.

**Inspector should document the non-highway use material or encroachment** by adding the Maintenance Action: Misc – Materials Stored Under Bridge and including photographs in HSIS. Select the *Priority* and *Status* per the guidance below. Use the *Item Comment* and *Status Comment* to provide information, document the review, communications, decisions, and removals regarding the items.

#### HSIS Maintenance Action: Misc - Materials Stored Under Bridge

**Status:**

- Status is initially marked “*Approved for Work Order Assignment*” until the results of further evaluation or complete removal has occurred.
- Status of Low priority (approved to remain by permit or R/E agreement), will be marked “*Decision/Work Deferred*”.
- Items initially identified as Medium priority but allowed to remain because of approved permit or agreement would be changed to Low priority and Status changed to “*Decision/Work Deferred*”. Document the decision to allow the items to remain under the Comment areas.

- Once materials/encroachments are removed, mark the Status “Work Complete”. Status should never be marked “Work Complete” unless the materials/encroachments are removed completely.
- If political or other outside influences allow materials/encroachments that are not a public safety concern to remain without a permit/agreement, use status “*Rejected*” .

**Action Priority:**

- Low – minor non-hazardous/non-flammable materials or encroachment exists, not a danger to the public or the bridge, approved to remain based on permit or R/E agreement. Low priority is used only when an approved written permit or agreement exists. The maintaining authority of the highway is the permitting authority.

Medium – non-hazardous/non-flammable materials or encroachment exists, not a danger to the public or the bridge, a permit or R/E agreement does not exist. *For state owned bridges*, work with the region operations section and/or region real estate section to take action on removal, issue a [revokable occupancy permit](#), or proceed with an FHWA approved real estate agreement. *For local owned bridges*, notify PM and bridge owner of the existence of encroachment and the requirement for a FHWA approved R/E agreement if allowing non-highway uses beneath a bridge if the bridge was constructed with federal funding.

- High – a structural or safety related deficiency that requires immediate action to ensure public safety, remove immediately (examples: fuel tanks, large trucks/trailers, containers, large amounts of flammable materials, etc.) Treat as a critical finding (CF) – notify the PM and bridge owner, follow the CF process outlined in the SIM and complete the Critical Findings tab in HSIS. Select “Structural or safety related deficiency” as the Critical finding type on the HSIS tab.

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