



State of Ohio Environmental Protection Agency

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-8249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

July 17, 2008

Mr. Jeffrey Wright, Assistant City Manager
City of Loveland
120 W. Loveland Aveune
Loveland, OH 45140-2996

RE: Stormwater Program Evaluation, NPDES Permit # 1GQ10005*AG

Dear Mr. Wright:

On Monday March 3, 2008, I met with you and Cindy Klopfenstein to discuss Loveland's stormwater management program. This "evaluation screening" is not a true program audit, which would involve a more detailed review of documentation. Based on these discussions, a review of the city's initial stormwater management plan and subsequent annual reports, I offer the following observations and recommendations:

Minimum Control Measures 1 & 2 – Public Outreach, Education and Involvement

Efforts made by the city to educate and involve its residents and businesses about stormwater management issues are both relevant and sufficient. The city's website and newsletters are good ways of making information available to every resident and business owner in Loveland. Articles about stormwater issues should be included whenever possible, and if space permits or new topics are not available, previously used articles could be re-published.

Lack of interest on the part of most businesses in Loveland should not deter future efforts to organize meetings to discuss stormwater issues, at least during the next couple of years. But if interest remains minimal, the city could rely solely on newsletters or electronic publications as the primary ways of educating both its businesses and residents. Document future efforts to organize meetings, poor response rates, and reasons offered (if any) by prospective participants as to why they are not interested.

If it's clear activities have reached a logical end point, such as completing the marking of all storm drain inlets, or that residents are simply not interested, then those particular activities can be discontinued. These changes can be noted in annual reports, but at some point the city's stormwater plan should be modified accordingly.

In the future, Loveland should consider surveys to determine the effectiveness of its efforts to inform and educate city residents about stormwater issues. Incorporating questionnaires into the city's website could be a cost effective way of acquiring this information.

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MCM # 3 Illicit Discharge Detection and Elimination

Because of staffing changes and other issues, there has not been much activity with respect to MCM 3 in recent years. The city's original stormwater management plan discusses how responses to illicit discharges will be affected, which appears adequate as currently written. An ordinance prohibiting placement of certain materials into the city's storm sewers apparently exists, but details have not been provided, and a copy of the ordinance was not included with the current stormwater management plan, or in past annual reports.

My recommendation would be to rewrite this section of the city's stormwater plan to summarize the current illicit discharge ordinance, and how it might impact the current approach taken to responding to a reported (or discovered) discharge. If the ordinance needs modification to meet the intent of phase II stormwater requirements, this can either be explained in the revised plan, or the modified ordinance can be summarized in the plan, with a copy included as an attachment.

Other activities (outfall mapping, dry weather screening) were to have been completed by March of 2006. Information regarding how these requirements will be met should be included in the revised stormwater management plan, and finalized maps can be included as attachments.

MCM #4 Construction Site Runoff Control

There was relatively little discussion about Loveland's construction ordinance, but annual reports suggest the city is requiring developers to prepare and implement site-specific erosion and sediment control plans for new projects. Said plans are to be included with other site plans submitted to the city's planning and zoning department and to the City Engineer for review and approval. City inspectors are then empowered to enforce erosion or sediment control requirements that are not being met at regulated construction sites, though specifics regarding enforcement actions are not spelled out in the plan.

The city should consider rewriting this section of its stormwater management plan so that it clearly explains the general process construction projects follow from initial proposal until final approval (emphasizing erosion and sediment control requirements). Information included in Loveland's 2007 Annual Report could be used as the basis for rewriting this section. The rewrite should also include examples of checklists or other forms the city uses to document erosion and sediment control inspections. Enforcement should also be more fully explained in the rewritten plan. The city's stormwater management ordinance discusses revocation of permits, and this information could be included in the rewritten plan, or referenced accordingly.

MCM #5 - Post Construction Stormwater Management Requirements

Loveland has not devised a post-construction stormwater management program as

ACTIVITY REPORT

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NAME : OHIO EPA SWDO DERR
FAX : 9372856404
TEL : 9372856357
SER.# : BROL81889043

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RET : RETRIEVAL

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required by its MS4 permit. Despite the fact that the city has little developable land remaining, and redevelopment projects on larger parcels will be unlikely, this requirement was to have been met in 2006 by communities located within designated rapidly developing watersheds. When the city revises its stormwater management plan, it must explain its intentions with respect to this requirement. Note that the intent of post-construction stormwater management requirements is for newly developed sites to install permanent structural and/or non-structural features that treat runoff volumes created from a three quarter inch rain.

MCM #6 Pollution Prevention/Good Housekeeping for Municipalities

Little time was spent discussing this particular component of Loveland's stormwater program, but the initial plan created in 2003 suggests the city is performing relevant tasks. Future program audits may look more closely at specific documentation to confirm that employee training is occurring as stated in the plan. It is advised that more detailed information be contained in future annual reports, specific to the tasks that are actually being performed. For example, how much material is collected by street sweepers? Has the city reduced its used of pesticides, and if so by how much? Specific kinds of training offered to employees regarding materials management practices should be discussed in more detail as well. Note that copies of detailed records kept for these activities do not need to be included in future stormwater management plans or annual reports, but should be available for review upon request.

Because a limited number of activities are possible within the scope of MCM 6, the city should explain, when the time comes, if an end point has been reached for particular aspects of this control.

Conclusions

While Loveland's original stormwater management plan covered all the appropriate bases fairly well, it should be rewritten in order to be more reflective of current activities. References and information pertaining to EPA guidance should be removed, and only those particular activities associated with each of the 6 controls should be included in the revised plan.

Because Loveland has not developed a post construction stormwater management program, it cannot be considered in full compliance with the terms of its MS4 permit. Development and implementation of some sort of effort to meet the intent of MCM 5 will have to occur before the city's plan can be considered compliant. A plan for dryweather screening of storm sewer outfalls within the city must also be developed and implemented, preferably in 2008 as alluded to in the most recent annual report. The revised plan can discuss, based on the results of initial screening, how the city will meet this requirement in the future.

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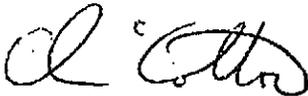
SOUTHWEST DISTRICT

**DESCRIPTION OF PROPOSED SANITARY
TREATMENT FACILITY FOR THE DEVELOPMENT
OF A UNITED DAIRY FARMERS CONVENIENCE
STORE ON THE SOUTHEAST CORNER OF THE
INTERSECTION OF STATE ROUTES 131 AND 132
(aka, WILLIAMS CORNERS)**

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If you have questions about any of the information in this letter, please contact me at 937.285.6442 or via email at chris.cotton@epa.state.oh.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Cotton".

Chris Cotton
Division of Surface Water

cc: OEPA/SWDO/DSW Files
Anthony Robinson, OEPA/DSW/CO

CC/ca

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SOUTHWEST DISTRICT

Environmental and
Applied Earth Science
Consultants

T. M. GATES, INC.
787 ROUND BOTTOM ROAD
MILFORD, OHIO 45150-9509
(513) 248-1025
(513) 248-1044 FAX
tmgates@tmgates.com

December 20, 2002

Mr. Bruce Smith - Environmental Specialist
Division of Surface Water
Compliance and Enforcement Group
Ohio Environmental Protection Agency
Southwest District Office
401 E. Fifth Street
Dayton, Ohio 45402-2911

Re: Quarterly Status Report