



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

January 26, 2011

Ms. Kathy Wade-Dorman
Stormwater Engineer, City of Mason
6000 Mason-Montgomery Road
Mason, OH 45040

RE: Stormwater Program Evaluation, City of Mason, NPDES permit #1GQ00040*BG

Dear Ms. Wade-Dorman:

On Tuesday, November 30, 2010, I met with you to evaluate the City of Mason's stormwater management program. The evaluation consisted of discussions about the 6 "Minimum Control Measures" (MCMs) that provide the framework for municipal stormwater programs. The intent was to evaluate activities over the first permit term, from 2003 to 2008. Note that following the discussion of activities for each MCM, specific annual reporting requirements and performance standards (taken directly from the current permit) have been listed.

Based on our discussions and my review of the city's original stormwater management plan and recent annual reports, I offer the following observations and recommendations:

MCMs 1 and 2 – Public Involvement, Participation and Education (PIPE)

Mason, in its collaboration with the Warren County SWCD, is making reasonable efforts to educate/inform its residents about stormwater management issues. Various local and regional festivals have been significant outlets for information, as has the city's quarterly publication *Mason Matters*. Seminars, public meetings, preparation and dispersal of fact sheets, and outreach with local schools have also reached a wide range of residents, professionals (developers and contractors) and students.

As education/outreach activities continue in the future, the city should consider assessing the effectiveness of its efforts. Surveying has been mentioned in past annual reports as a way to determine if stormwater messages have been retained by various audiences, but nothing has materialized. Surveying is resource intensive, though they can be somewhat easily conducted at county fairs or other events attended by large numbers of people. Perhaps an on-line survey about stormwater issues can be created and posted within the relevant portion of Mason's website. Mason's outreach and education activities overall are quite impressive, and it is hoped surveying or other methods of assessment can be undertaken in the future.

Performance standards and reporting requirements for MCMs 1 and 2 are listed below.

MCM 1 - Performance Standards: Mason's storm water public education and outreach program shall include more than one mechanism and target at least five different storm water themes or messages over the permit term. At a minimum, at least one theme or message shall be targeted to the development community. Mason's storm water public education and outreach program shall reach at least 50% of its population over the permit term.

Annual Reporting Annual reports shall identify each mechanism used, including each storm water theme, audience targeted and estimate of how many people were reached by each mechanism.

MCM 2- Performance Standards Mason's storm water public involvement and participation program shall include, at a minimum, five public involvement activities over the permit term.

Annual Reporting Mason's annual report shall identify each public involvement/participation activity conducted, including a brief description of activity and include an estimate of how many people participated.

MCM 3 – Illicit Discharge Detection and Elimination (IDDE)

Mapping Mason's storm sewer system is 95% mapped, based on information submitted in the city's 2009 annual report. It is assumed that mapping of the entire system will be completed by the end of the current permit term in early 2014.

IDDE Ordinance It's not clear how the cited sections of Ohio's Revised and Administrative Codes, along with City Ordinance 90-61 apply to this part of MCM 3. If language in these citations is sufficient to give the city the clout it needs to investigate and ultimately stop illicit discharges into its storm sewer system, then the intent of this section of the stormwater management plan (SWMP) has been met. From our discussion, these legal citations are sufficient for the purposes of this MCM, but the relevant section of Mason's SWMP should be rewritten to better explain how this works. A summary of the legal framework, including enforcement provisions, can be included in the body of the revised plan, with copies of the relevant rules, laws and ordinances included as appendices or attachments. Mason's revised SWMP should also explain the system it uses to receive and respond to illicit discharge complaints.

Home Sewage Treatment Systems (HSTS)

Mason has included a list of residential properties within its borders that use septic systems for sanitary waste treatment and disposal. The city defers to the Warren County Health Department when problems with these systems become apparent. The goal of this requirement is to get all residences connected to centralized sewers. Until that happens, the intent of this requirement is met so long as the city's SWMP contains a listing of addresses which use septic systems. The list can be revised when necessary, and specific information, such as addresses newly connected to sewers, can be included in the appropriate annual report.

Dry Weather Screening

Some of Mason's storm sewer outfalls have been screened, according to information in the 2009 annual report. But the city's SWMP does not explain the program it has created for addressing this permit requirement. In addition to providing a generalized schedule for future outfall screening, the revised SWMP should outline what steps will be taken to identify discharges in the event they are found. Details of screening efforts can be reported in subsequent annual reports.

Note that Mason is only responsible for screening outfalls that discharge to named streams within its jurisdiction. Collaboration with Warren County is certainly encouraged if it helps meet the intent of the small MS4 permit, but details of this arrangement should be discussed in the revised SWMP.

MCM 3 - Performance Standards Mason's storm water illicit discharge detection and elimination program shall include or have included an initial dry-weather screening of all its storm water outfalls over the permit term. The city's program shall establish priorities and specific goals for long-term systemwide surveillance of its MS4, as well as for specific investigations of outfalls and their tributary area where previous surveillance demonstrates a high likelihood of illicit discharges. Data collected each year shall be evaluated and priorities and goals shall be revised annually based on this evaluation. Comprehensive storm sewer system maps shall be updated annually.

Annual Reporting Annual reports shall document the following: (1) number of outfalls dry-weather screened, (2) number of dry-weather flows identified, (3) number of illicit discharges identified, (4) number of illicit discharges eliminated, (5) provide schedules for elimination of illicit connections that have been identified but have yet to be eliminated and (6) summary of any storm sewer system mapping updates.

MCM 4 – Construction Site Stormwater Runoff Control

Mason's original SWMP references city ordinances 89-131 and 99-207 as the regulatory mechanisms used to require erosion and sediment controls at construction sites. But the plan provides no information as to the review process projects will follow from initial proposal to final completion. The revised plan should outline this process, with relevant sections of the 2 ordinances included as attachments or appendices. The revised plan should also explain the role of Warren County's SWCD in Mason's construction program. Lastly, a summary of how the city will enforce against chronic violators of erosion and sediment control rules should be written into the revised plan.

Construction site inspection records were not requested during the program evaluation. The revised plan should contain examples of checklists or other forms used by the city to record inspection results. Copies of specific site inspections do not need to be included with annual reports, and should be made available only upon request.

In addition to better explaining its process for reviewing new development projects, the city's revised stormwater management plan should focus on meeting the performance standards outlined below.

MCM 4 - Performance Standards Mason's construction site storm water control program shall include preconstruction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre. To ensure compliance, these applicable sites shall be initially inspected. The frequency of follow-up inspections shall be on a monthly basis unless the city documents its procedures for prioritizing inspections such as location to a waterway, amount of disturbed area, compliance of site, etc. If the city of Mason initially had coverage under a previous version of this permit it shall revise its program to satisfy these performance standards, if needed, within two years of when coverage under this general permit was granted.

Annual Reporting. Annual reports shall document the following: (1) number of applicable sites in Mason's jurisdiction, (2) number of pre-construction storm water pollution prevention plan reviews performed, (3) number and frequency of site inspections, (4) number of violation letters issued, (5) number of enforcement actions taken and (6) number of complaints received and number followed up on.

MCM 5 – Post-Construction Stormwater Runoff Controls

Regarding post-construction issues, the revised plan should explain what legal authority the city relies on to impose these requirements. As of 2009, specific regulations were under review, and it's not clear if these have been finalized and implemented. The revised plan should also explain how operations and maintenance (O&M) agreements

are arrived at for relevant sites. The goal of O&M agreements is to ensure long-term maintenance of post-construction best management practices.

MCM 5 – Performance Standards

Mason's post-construction SWMP shall include pre-construction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre to ensure that controls are designed per requirements. These applicable sites shall be inspected to ensure that controls are installed per requirements. Mason's program shall also ensure that long-term operation and maintenance (O&M) plans are developed and agreements in place for all applicable sites. If the city initially had coverage under a previous version of this permit it shall revise its program to satisfy these performance standards, if needed, within two years of when coverage under this general permit was granted.

Annual Reporting Annual reports shall document the following: (1) number of applicable sites in Mason's jurisdiction requiring post-construction controls, (2) number of pre-construction storm water pollution prevention plan reviews performed, (3) number of inspections performed to ensure as-built per requirements, and (4) number of long-term operation and maintenance (O&M) plans developed and agreements in place.

MCM 6 – Pollution Prevention/Good Housekeeping for Municipal Operations

Little time was spent discussing the specifics of this section, but information included in the most recent annual report suggests the city is mindful of the need to manage and use materials in ways that reduce the potential for polluting stormwater runoff.

The revised SWMP should outline the city's approach to training its employees in the future with respect to materials management and stormwater pollution issues, even if this is just a small component of other training city employees receive. The revised plan should also explain how the city manages debris accumulated from street sweeping. Subsequent annual reports should list the amounts of debris collected.

The revised plan should play up things like burning used oil in furnaces at Mason's public works facility, and other improvements the city has made with respect to waste reduction/materials management. The description of activities provided in the original plan is thorough, but in the years since the plan was written, the city has realized additional benefits which should be pointed out in a revised plan.

Ms. Kathy Wade-Dorman
January 26, 2011
Page 6

MCM 6 - Performance Standards Mason's pollution prevention/good housekeeping program shall include, at a minimum, an annual employee training. The city's operation and maintenance program shall include appropriate procedures, controls, maintenance schedules and recordkeeping to address Part III.B.6.d.iii of the small MS4 permit.

Annual Reporting Annual reports shall document the following: (1) summary of employee training program(s) implemented with number of employees that attended and (2) summary of activities and procedures implemented for your operation and maintenance program.

Conclusions

Mason appears to be doing a good job implementing its stormwater management program. Over the remainder of the current permit term it should consider rewriting sections of its plan so they 1) more accurately reflect some of the activities undertaken by the city, and 2) clarify how local ordinances have been modified to meet the small

MS4 permit general requirements.

If there are questions about anything discussed in this letter, I can be reached at 937.285.6442 or via email at chris.cotton@epa.state.oh.us.

Sincerely,



Chris Cotton
Division of Surface Water

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

CC/mab