



State of Ohio Environmental Protection Agency

Northeast District Office

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

March 24, 2010

RE: Lake County
Grand River Watershed
City of Mentor
Mentor Lagoons & Nature Preserve Marina

Mr. Kurt Kraus
City of Mentor
8500 Civic Center Blvd
Mentor, OH 44060

Dear Mr. Kraus:

On January 14, 2010, I performed a compliance inspection of storm water best management practices at the above referenced site. While on site, I spoke with Dave George, marina manager. We were accompanied on our inspection by Brian Ashurst of the City's engineering department. Our records indicate that this facility is authorized to discharge storm water under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Industrial Activities Associated with Marinas #3GRM00008*AG.

My inspection revealed the following violations of the NPDES permit:

- **Failure to initiate analytical monitoring within fifteen months of the date the Director approves the entity for coverage under the general permit. This is a violation of Part V.B of the NPDES permit and Ohio Revised Code 6111.04 and 6111.07.** With 630 boat slips, the Mentor Lagoons and Nature Preserve Marina is subject to the analytical monitoring requirements of the NPDES permit. Ohio EPA records show that the Director approved this facility for coverage on January 28, 2008. Thus, analytical monitoring was to be initiated no later than April 28, 2009, and must be conducted annually thereafter. Thus, as of the date of my inspection, analytical monitoring should have occurred at least once, and potentially twice. As of the date of inspection, analytical monitoring had not been conducted. Please conduct analytical monitoring at the earliest possible opportunity, but **no later than June 30, 2010**, and submit the results to me for review.
- **Failure to establish sampling points that are representative of industrial activity associated with the marina. This is a violation of Part V.D.1 of the NPDES permit and ORC 6111.04 and 6111.07.** Currently, the facility monitors at three (3) outfalls. Outfall #1 and Outfall #3 are representative of industrial activities, however Outfall #2 only picks up rooftop runoff from the Rack Building. This is not representative of industrial activity. In addition, there are no sampling

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points for discharges associated with the outdoor storage, sand blasting, minor engine maintenance and fuel tank areas. You must either create new sampling points that would be representative of runoff from these activities or direct runoff from these activities to one of the existing sampling points. Enclosed, please find guidance from the State of Washington Department of Ecology on establishing sampling points for sheet flow discharges of storm water.

- **Failure to certify the storm water pollution prevention plan, annual comprehensive site evaluation and elimination of unauthorized discharges with a signature of a principal executive officer or ranking elected official. This is a violation of Part VIII.G.1.(c) of the NPDES permit and ORC 6111.04 and 6111.07.** Please be sure these documents are signed by the appropriate official and be sure that any future SWP3 amendments, reports or certifications are signed in accordance with this permit requirement.
- **Failure to implement BMPs contained in the SWP3 to ensure that boat maintenance activities conducted by a boat owner or other third party complies with the SWP3. This is a violation of Part IV.B.Table 1.7 of the NPDES permit and ORC 6111.04 and 6111.07.** Although contract language has been added to lease agreements to notify boat owners and third party maintenance providers to implement storm water BMPs, the marina could not provide any copies of fact sheets, rules and regulation sheets, and signage for boat owners to adhere to as indicated in Part 6 of the SWP3. Please implement the BMPs you have committed to in the SWP3.
- **Failure to implement the structural, vegetative and/or stabilization BMPs contained in Part 7 of the SWP3. This is a violation of Part IV.B.Table 1.8 of the NPDES permit and ORC 6111.04 and 6111.07.** Areas behind the Service Warehouse, Marina Offices and in the vicinity of the F Dock have been disturbed by construction activities, but no steps were taken to stabilize these areas in a timely manner once construction activity was complete. In fact, the SWP3 does not set a standard for sediment and erosion control. Ohio EPA recommends the marina adopt the performance standards contained in Chapter 1353.05 of the City of Mentor Codified Ordinances. These standards require stabilization to be initiated within 7 days of reaching final grade or within 7 days of last disturbance if the area will not be redisturbed for 14 days or longer. Both of these standards drop to 2 days if disturbance is within 50 feet of a stream or other surface water body. In situations where weather does not allow for vegetative stabilization, options include temporary stabilization with straw mulch or erosion control matting until such time that permanent vegetation can be established. You may also initiate permanent stabilization via dormant seeding.

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- **Failure to develop a schedule for employee training. This is a violation of Part IV.B.Table1.11 of the NPDES permit and ORC 6111.04 and 6111.07.** Employee training at this facility is not formal. Rather, information is discussed with pertinent employees when the need arises as one of the required training topics occurs on site. Although this approach can be effective, there is no guarantee that you will provide training to all pertinent employees on all required topics with this approach. As such, at least one scheduled training event should occur each year to be sure that all requirements are met. Also, be sure to include storm water pollution prevention training as a component of any new employee orientation.

Finally, we noted that the used oil tank was labeled "Waste Oil" rather than "Used Oil". Please be aware the environmental regulations administered by the Ohio EPA Division of Hazardous Waste Management require used oil tanks to be labeled "Used Oil". Please change the sign to comply with these requirements.

Please provide me with a letter of response, indicating the actions you have taken to address the violations and concerns noted in this letter. Include any revisions made to the SWP3 as a result of this inspection. Your response should be received **no later than April 21, 2010**.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Keith Filipiak, City Manager, City of Mentor
Brian Ashurst, Asst City Engineer, City of Mentor
Jason Fyffe, Ohio EPA, DSW, CO

MENTOR LAGOONS MARINA
City of Mentor Lake County
Operator: City of Mentor

Photos Taken: January 14, 2010
By: Dan Bogoevski, DSW-NEDO



Fig 1 (LEFT). The embankment behind marina office requires stabilization.



Fig 2 (RIGHT). The drive between the marina office and the service warehouse needs to be restored to maintain a stable surface.



Fig 3 (LEFT). No secondary containment has been provided around the diesel fuel and unleaded gas tanks. No spill kit is available nearby to respond to a spill should one occur. The marina needs to consider implementation of these BMPs.



Fig 4 (RIGHT). Dumpsters must remain shut when not adding or removing materials from them. Also, be sure that your routine facility inspections include this area to assure that trash is placed in the dumpster and not around it. Note that there is a bag of trash behind the dumpster that was likely generated during the boating season of 2009, yet is still on the ground in January 2010.