



3GQ0010120110331

CUYAHOGA NORTH RANDALL VILLAGE OF NORTH RANDALL 3GQ00101 2011/03/31 BOGOEVSKI,
DANIEL

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**Environmental
Protection Agency**

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

March 31, 2011

RE: CUYAHOGA COUNTY
VILLAGE OF NORTH RANDALL
MUNICIPAL STORM WATER PROGRAM
COMMENTS ON AUDIT RESPONSE

Mr. David Smith, Mayor
Village of North Randall
21937 Miles Road
North Randall, OH 44128

Dear Mr. Smith:

On March 28, 2011, Ohio EPA received your response to our municipal storm water program audit conducted May 12, 2010, and summarized in findings dated July 9, 2010. I have reviewed your response and find your plans for corrective action satisfactory. However, there are still several unresolved matters of significance. In order to better monitor your progress toward achieving compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewer Systems (MS4s) #3GQ00101*BG, I am requesting the Village send me a **monthly progress report** indicating the actions taken toward resolving the following issues:

- Leaf composting/storage at the Senior Garden Center
- Determination of the source(s) of dry weather flow identified by the Cuyahoga County Board of Health (CCBH) in June 2007 and required follow-up action if sources are determined to be illicit

Progress reports should begin with April 2011. Please submit the report for April no later than May 15, 2011. Likewise, the report for May 2011 should be submitted by June 15, 2011, and so on. Continue to submit reports until these issues have been resolved.

Finally, your letter asked for clarification if a Memorandum of Understanding (MOU) or other such written agreement is necessary between the Village of North Randall and the Cuyahoga County Sanitary Engineer (CCSE). The Village has indicated that CCSE provides catch basin cleaning services and some storm sewer system maintenance. The Village is relying on CCSE to implement these components of minimum control measure #6: Pollution Prevention and Good Housekeeping for Municipal Operations.

Part III.C of the NPDES permit states the following:

Mr. David Smith
Village of North Randall
March 31, 2011
Page 2

Implementation of one or more of the minimum measures may be shared with another entity, or the entity may fully take over the measure. You may rely on another entity only if:

- 1. The other entity, in fact, implements all or part of the control measure;*
- 2. The particular control measure, or component of that measure, is at least as stringent as the corresponding permit requirement; and*
- 3. The other entity agrees to implement the control measure on your behalf.*

The permit further states: *There **shall be** a written acceptance of this obligation. This obligation **shall be** maintained as part of your SWMP [Storm Water Management Program]. As such, a written acceptance of obligation between the Village and CCSE is required. Whether that written acceptance of obligation takes the form of an MOU or some other type of written agreement, is strictly for the Village of North Randall and CCSE to decide.*

I hope that this clarifies this matter for you. If you have any questions, please contact me at (330) 963-1145.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Chris Hartman, Chagrin Valley Engineering
Laura Travers, Cuyahoga County Board of Health
Dominica McClintock, Cuyahoga County Board of Health

ec: Jennifer Carlin, Ohio EPA, NEDO, DSIWM