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CUYAHOGA BEDFORD HEIGHTS CITY OF BEDFORD HEIGHTS 3GQ00046 2009/11/17 BOGOEVSKI,
DANIEL

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State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

November 17, 2009

RE: CUYAHOGA COUNTY
CUYAHOGA RIVER WATERSHED
CITY OF BEDFORD HEIGHTS
MUNICIPAL STORM WATER PROGRAM

Mayor Fletcher Berger
City of Bedford Heights
5661 Perkins Rd.
Bedford Heights, OH 44146

Dear Mayor Berger:

On November 13, 2009, Ohio EPA received a complaint regarding inadequate sediment and erosion controls for a soil stockpile associated with the Sunset Drive Reconstruction project. The complainant expressed concerns that the soil was being stockpiled near Randolph and Kimberly Drive without any silt fence or straw mulch in place. The complainant further expressed a concern that the soil is contaminated because it comes from a sewer trench.

Ohio EPA records indicate that the City of Bedford Heights has obtained coverage under the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewer Systems (MS4s) #3GQ00046*BG. As an operator of a regulated MS4, the City of Bedford Heights is required to establish a program to control runoff from construction sites that disturb 1 or more acre of land. This includes municipal construction projects such as the Sunset Drive reconstruction. As part of this program, the City is required to inspect construction sites at least once per month for compliance with the local sediment and erosion control ordinance and generate an inspection report documenting the results of the inspection.

In response to the complaint, I contacted Don Beirut of Chagrin Valley Engineering, engineers for the City of Bedford Heights and informed him of the complaint. Mr. Beirut indicated that the contractor was authorized to stockpile the soil in the location, but it was only supposed to remain in place for a short time. Mr. Beirut stated he would contact the contractor and notify him to remove the soil or provide appropriate sediment and erosion controls immediately.

Please provide me with written notification once corrective action has been taken by the contractor and an accounting of the actions taken by the City to address the complaint. Include a copy of the two most recent storm water inspection reports for this project. Ohio EPA expects corrective action to be taken **no later than November 23, 2009**.

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

Sincerely,

Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Don Beirut, Engineer, City of Bedford Heights