



3GQ0012820110317

COLUMBIANA SALEM

CITY OF SALEM

3GQ00128 2011/03/17

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**Environmental
Protection Agency**

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

March 17, 2011

RE: COLUMBIANA/MAHONING COUNTY
CITY OF SALEM
NPDES PERMIT NO. OHQ000002
OHIO EPA PERMIT NO. 3GQ00128*AG
MS4 COMPLAINT RECEIVED

Mr. Joseph Julian
City of Salem
231 South Broadway Avenue
Salem, OH 44460

Dear Mr. Julian:

On February 28, 2011, Ohio EPA received a complaint alleging that the detention basin serving the Home Depot, located on 2900 East State Street, has not been constructed properly and is causing the complainant's basement to flood and erosion to occur on the complainant's property. Ohio EPA records indicate that the City of Salem is covered by General National Pollutant Discharge Elimination System Permit for Storm Water Associated with Small Municipal Storm Sewer Systems (General Storm Water Permit), permit No. 3GQ00128*AG.

Part III.B.5 of the General Storm Water Permit requires municipal storm sewer systems (MS4) to develop, implement, and enforce a post-construction storm water management program in new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale. According to Ohio EPA records, the Home Depot appears to have been constructed under General National Pollutant Discharge Elimination System Permit for Storm Water Associated with Construction Activities (General Construction Storm Water Permit), permit No. 3GC00166*AG, which was issued June 23, 2003. On April 21, 2003, Ohio EPA's General Construction Storm Water Permit became effective and established requirements for post-construction storm water management via Part III.G.2.e.

This letter will serve to notify the City of Salem of a complaint alleging that a post-construction best management practice serving the Home Depot has not been constructed in accordance with Part III.G.2.e of the General Construction Storm Water Permit. The City of Salem must submit a report to Ohio EPA for review that includes the following information:

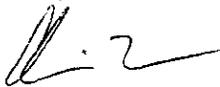
- Information (i.e. engineer drawings, water quality volume calculations, drain down time, outlet orifice calculations, etc.) that details if the detention basin serving the Home Depot has been designed and constructed in accordance with Part III.G.2.e of the General Construction Storm Water Permit;

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- The drainage area (in acres) that the detention basin serving the Home Depot treats;
- A copy of the long-term operation and maintenance plan for the detention basin serving the Home Depot; and
- A copy of the City of Salem's post-construction storm water management ordinance that is utilized to implement and enforce a post-construction storm water management program.

The report addressing the detention basin serving the Home Depot must be submitted to the attention of Joseph Trocchio of Ohio EPA's Division of Surface Water **by April 22, 2011**. For your convenience, Mr. Trocchio can be contacted at (330) 963-1193 or via email at joe.trocchio@epa.state.oh.us.

Sincerely,



Chris Moody
Environmental Specialist II
Division of Surface Water

CM/mt

cc: Mayor and Council, City of Salem
Mahoning County Soil and Water Conservation District
Home Depot

ec: Joe Trocchio, Ohio EPA, NEDO, DSW