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CUYAHOGA

SOUTH EUCLID

CITY OF SOUTH EUCLID

3GQ00103 2011/08/02

BOGOEVSKI,
DANIEL

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**Environmental
Protection Agency**

Governor
Lt. Governor
Director

August 2, 2011

RE: CUYAHOGA COUNTY
CITY OF SOUTH EUCLID
NOTIFICATION OF MUNICIPAL STORM
WATER PROGRAM INSPECTION

NOTICE OF VIOLATION

Mr. Jim Anderson
Service Director and Storm Water Program Coordinator
City of South Euclid
1349 S. Green Rd.
South Euclid, OH 44121

Dear Mr. Anderson:

On July 29, 2011, Ohio EPA was contacted by a concerned resident of your community regarding improper disposal of wastewater associated with catch basin cleaning operations. In response to this complaint, Ron Fodo of our Special Investigations Unit (SIU) visited with you. During his interview with you, you admitted that the City of South Euclid, as a matter of standard practice, dewateres catch basin cleanings into the municipal separate storm sewer system (MS4) at the city maintenance yard. Records show that the City of South Euclid has been provided with training by the Cuyahoga County Board of Health on pollution prevention and good housekeeping for municipal operations. These trainings have included provisions for the proper disposal of catch basin cleanings and street sweepings.

This letter will serve as notice that the City of South Euclid is in violation of Part III.B.6.d.iii.3 of the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit #3GQ00103*BG for **failure to establish procedures for the proper disposal of waste removed from the MS4**. Catch basin cleanings, including those removed from the MS4, are solid waste. Any liquid resulting from the dewatering of this material or any storm water that comes into contact with piles of this material is defined as leachate, a wastewater, and must be disposed as such.

As a result of this instance of non-compliance, Ohio EPA will be conducting an inspection of your community's Storm Water Management Program (SWMP). This inspection is being conducted to determine compliance with NPDES program requirements for small MS4s.

Our inspection will focus on compliance with minimum control measure #6: Pollution Prevention and Good Housekeeping for Municipal Operations, however we will also ask you to verify that the community has instituted ordinances and other required elements

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of the MS4 program. We will be using the audit guidance manual developed by the United States Environmental Protection Agency. We anticipate that the inspection can be conducted in one day. I have set aside the dates of August 11, 16 or 17, 2011, as possible dates to conduct the inspection. **Please contact me upon receipt of this letter to let me know which of these dates will work best for you.**

To streamline the inspection, please have the following resources ready and available on the date of the inspection.

- A copy of your Annual Report for 2010
- Map of the MS4 system or outfalls and addresses of home sewage treatment systems (HSTSs) that discharge to the MS4
- A copy of the City's ordinances to address illicit discharges to the MS4, establish construction site runoff controls and post-construction water quality best management practices
- An inventory of municipal facilities and operations, i.e., composting yards, vehicle maintenance facilities, bus terminals, impound lots and waste transfer stations, if applicable, and the storm water pollution prevention plan (SWP3) developed for these facilities
- Contracts with any third party service providers that assist you in implementing your illicit discharge, construction, post-construction and pollution prevention and good housekeeping programs
- Guidance documents or BMP manuals used for your pollution prevention and good housekeeping program
- Training records, i.e., the agenda and attendance record of any training your staff has attended regarding pollution prevention for municipal operations
- List of active municipal construction projects, e.g., road projects
- The checklist used to inspect your municipal maintenance facility
- Street sweeping and catch basin cleaning records
- Deicer application records, including a description of the materials used for deicing operations
- Inventory of flood management structures in your community which you maintain
- Inventory of post-construction storm water quality BMPs installed in your community since April 21, 2003
- Fertilizer and pesticide application plan, if applicable

The inspection will consist of an interview followed by field inspections of your municipal maintenance facility (or facilities, as appropriate), including facilities where vehicle maintenance, composting activities, vehicle impoundment and waste management activities occur. We will also review any municipal facilities where storm water associated with industrial activities is discharged. Please have the appropriate persons

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available to answer the interview questions and questions that arise during field inspections. I anticipate the interview will take 3 hours to complete and will leave it to your discretion to schedule the field inspections. It should take no more than 2 hours to inspect each facility.

I look forward to working with you to perform the inspection. Please contact me to confirm the inspection date or to schedule a new date if necessary.

Please be aware that violations of ORC 6111 are punishable by fines of up to \$25,000 per day of violation. It is my hope that we can work to bring the City of Olmsted Falls into compliance with ORC 6111 and OAC 3745-39 to avoid escalated enforcement.

If you have any questions, please contact me at (330) 963-1145 or via e-mail at dan.bogoevski@epa.ohio.gov.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB/mt

cc: Georgine Welo, Mayor, City of South Euclid
Andrew Blackley, Engineer, City of South Euclid
Jane Goodman, Councilwoman, City of South Euclid
Laura Travers, Cuyahoga County Board of Health

ec: Ron Fodo, Ohio EPA, NEDO, SIU