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CUYAHOGA ROCKY RIVER

CITY OF ROCKY RIVER

3GQ00092 2009/08/13

BOGOEVSKI,
DANIEL

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August 11, 2009

RE: Cuyahoga County
Rocky River Watershed
City of Rocky River
Municipal Storm Water Program

Jim Linden
Director of Safety Services
City of Rocky River
21012 Hilliard Blvd
Rocky River, OH 44116

Dear Mr. Linden:

Ohio EPA is in receipt of your response letter dated August 5, 2009, to our audit of your municipal storm water program. Ohio EPA is generally satisfied with your response, however, you did not provide a timetable for the implementation of many of the actions you intend to take. These actions include:

- Removing tree branch clippings from chip pile
- Installing a tarp on the salt pile
- Building a salt storage structure
- Designing and installing a roll out box area for street sweepings

Please provide me with a timeframe by when these actions will be completed.

I also wanted to take this opportunity to comment on the inventory of post-construction best management practices (BMPs) you submitted with your response. Although you have provided us with a list of site names, addresses and map to show where the sites are located, this information is not of sufficient detail to meet the intent of the long-term maintenance program for post-construction BMPs. To be more useful, you will need to identify the number and types of post-construction BMPs at each site. In addition, some sites may have multiple installations of the same type of BMP and you will need to have a method to distinguish between the different installations. Further, the long-term maintenance plan for each site needs to be accessible and referenced when conducting these inspections. This plan will establish (a) the routine and non-routine maintenance activities and the schedule for performing them, (b) the party that is responsible for performing maintenance activities and their contact information, (c) a schedule for inspection of the facility by the responsible party, and (d) the location of maintenance easements to access the practice. As an MS4 operator, it is your responsibility to track the implementation of this plan and to take enforcement action when it is not being followed by the responsible party.

The reports you are receiving from Cuyahoga Soil & Water Conservation District (SWCD) only serve the purpose to identify potential maintenance issues to you and the responsible party. However, the City will still need to assure that problems identified in the SWCD reports are corrected by the responsible party. The SWCD has no inherent enforcement authority over these matters. Further, the report generated by the SWCD may be difficult for the responsible party to understand. In its attempt to educate, it comes off as too complex. It may be more beneficial to develop a simpler, pass/fail/not applicable checklist where required corrective actions can be highlighted. Educational information about why maintenance matters or how a particular feature functions can be provided to the

responsible party as an attached brochure without cluttering the message of what needs repair and attention.

There are a number of good guidance manuals to assist you in establishing your long-term maintenance program for post-construction BMPs. Recommended manuals include:

Managing Stormwater in Your Community: A Guide for Building an Effective Post-Construction Program, Center for Watershed Protection (July 2008) available on-line at http://www.cwp.org/Resource_Library/Controlling_Runoff_and_Discharges/sm.htm#pc,

Stormwater Maintenance BMP Resource Guide, Minnesota Department of Transportation (Jan 2009) available on-line at <http://www.lrrb.org/detail.aspx?productid=2301>, and

A Citizen's Guide to Maintaining Stormwater Best Management Practices: For Homeowners Associations and Property Owners, Lake County, Virginia, 2004 (enclosed).

I hope that you have found my comments constructive and helpful as you build your municipal storm water program. Please provide me the requested timetable for the action items bulleted above **no later than August 31, 2009**.

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

Sincerely,

Dan Bogoevski
District Engineer
Division of Surface Water

Cc: Todd Houser, Cuyahoga SWCD