



3GQ1000820090421

SUMMIT

FAIRLAWN

CITY OF FAIRLAWN

3GQ10008 2009/04/21 ROGERS, KELVIN

This document has been removed. imaged and is now stored electronically.



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

April 21, 2009

RE: SUMMIT COUNTY
CUYAHOGA RIVER BASIN
CITY OF FAIRLAWN
MS4 PROGRAM AUDIT

Mr. William J. Roth, Jr., Mayor
City of Fairlawn
3487 S. Smith Road
Fairlawn, Ohio 44333

Dear Mayor Roth:

Ohio EPA has completed an audit of the City of Fairlawn Municipal Storm Water Program. This program is a requirement of the Ohio EPA General Storm Water NPDES Permit for Small Municipal Separate Storm Sewers Systems (MS4s) #3GQ10008*AG and Ohio Administrative Code 3745-39. On February 24, 2009, Ohio EPA met with you and other representatives of the City of Fairlawn to determine compliance with the NPDES permit and the Storm Water Management Plan (SWMP) submitted by Fairlawn in March 2003.

Storm water best management practices (BMPs) were evaluated to determine if they are being implemented per the expectations of Ohio EPA. In performing this audit, Ohio EPA utilized the Municipal Storm Water Program Evaluation Guide developed by the United States Environmental Protection Agency.

The City submitted their 2007 Annual Report, dated June 2008, which details its activities to meet compliance with the permit requirements. DLZ Ohio Inc. has been contracted to assist the City in implementing the program and preparation of the annual reports.

Please review the following items in detail for recommendations on specific elements where your program needs improvement under the following Minimum Control Measures (MCMs) outlined in the SWMP:

Public Involvement and Public Education

- The Fairlawn Parks and Recreation department are responsible for implementation of this minimum control measure. Methods used to distribute storm water education messages include newsletters (3/year), and handouts/brochures that are available at City Hall and the park nature center. Over 50% of the population is reached through newsletter distribution. A stream cleanup event is held annually for scouts and other volunteers along Schocolog Run.

Mr. William J. Roth, Jr., Mayor
City of Fairlawn
April 21, 2009
Page 2

- The City Service Department oversees recycling programs in conjunction with the county solid waste program. Computers, household hazardous wastes, appliances, waste oil and other materials are recycled through this program. They have also replaced old storm sewer grates with new ones labeled with a "Dump No Waste" message.
- The City Engineering Department placed a storm water hotline number on its webpage in 2005. No calls have been received to date as all flood prone areas within the City have been addressed.
- The City keeps and records numbers of educational materials distributed. The percentage of population reached and numbers of attendees participating in public involvement events should also be recorded for use in your annual report.
- It was noted that no specific outreach strategy has been developed for storm water education and involvement. This should be developed pursuant to the renewal MS4 storm water permit. A minimum of 5 different storm water messages and 5 public involvement events should be implemented over the 5-year permit term.

Illicit Discharge Detection & Elimination (IDDE)

- The City Service and Engineering Departments are responsible for implementation of this control measure. A storm sewer system map has been completed and is regularly updated to incorporate modifications as part of the City's street repair program. 168 MS4 outfalls have been identified. All have been dry weather screened. In the past year one illicit discharge has been identified and is being addressed.
- The Summit County Health Department has identified the locations of Home Sewage Treatment Systems (HSTS) which have been mapped. The City coordinates with the Health Department to take follow up action on any illicit discharges from these systems to the MS4.
- The illicit discharge ordinance (2006-062) that was adopted by Fairlawn in 2006 does not contain an appropriate enforcement mechanism. As such it is considered deficient and does not meet the permit requirements. The ordinance must be revised to meet the permit requirements as soon as possible. A copy of the revised ordinance should be included with your response to this report.

Construction Site Runoff Control/Post Construction Storm Water Management

- Fairlawn passed their storm water erosion & sediment control and post construction storm water management ordinance (2006-072) in 2006. The

Mr. William J. Roth, Jr., Mayor
City of Fairlawn
April 21, 2009
Page 3

regulations include an enforcement mechanism and procedures for compliance. This ordinance must be updated within two years to include reference to the renewal Ohio EPA General Permit for Storm Water Associated with Construction Activities that was issued in 2008 (Permit No. OHC000003).

- The ordinance must require the submission of maintenance inspection requirements and schedules, including long-term maintenance requirements, with the SWPPP submission. If the city has not already done so, it must adopt formal long-term operation and maintenance agreement language for use with all construction projects as well as for all post-construction BMPs.
- For municipal projects, the City Engineering Department is responsible for design and an outside consultant is hired for construction oversight. For all other projects, Fairlawn has entered into a Memorandum of Understanding (MOU) with Summit Soil and Water Conservation District (SWCD) to review construction site Storm Water Pollution Prevention Plans (SWPPPs) and conduct site inspections on a regular basis. All construction site storm water violations noted in Summit SWCD inspection reports must be addressed by the City in a timely manner. The City must implement the enforcement procedures detailed in their ordinance to address violations noted by Summit SWCD.
- The City Service Department is responsible for public structural storm water BMP maintenance. A single pond within the city boundary has been constructed to meet post construction requirements. It inspected as needed. It is noted that all public and private structural BMPs that have been or are constructed to meet post construction requirements must be identified to meet renewal MS4 permit requirements.
- Fairlawn is commended for requiring low impact design BMPs, including wetland protection and green roofs, for the remaining undeveloped area within the city.

Good Housekeeping/Pollution Prevention

- The City Service Department is responsible for the implementation of the control measure. Note that the renewal MS4 permit requires the development of written SWPPPs for certain municipal facilities, including vehicle maintenance areas. Once developed, Fairlawn must fully implement these plans and continue to update and improve them. Further, all deficiencies noted during regular inspections of your facilities must be addressed appropriately.
- The Service Department provides and documents an annual employee training program covering storm water pollution prevention practices. They document all wastes collected through catch basin cleanings and street/parking lot sweepings.

Mr. William J. Roth, Jr., Mayor
City of Fairlawn
April 21, 2009
Page 4

along with their proper disposal. A leaf recycling program collects bagged leaves for transfer to a commercial composting/mulching facility.

- The Fairlawn Storm Water Program Manager must refine the duties of all City Departments and Divisions to clarify the job duties, training, and reporting requirements of all municipal staff under the storm water program. The renewal MS4 permit, issued earlier this year, requires the development of a table of organization to formalize your SWMP structure. This table must be submitted with your 2009 Annual Report, due April 1, 2010.

Please review these comments and provide me with a letter of response indicating the actions you will take to address all noted deficiencies. **Your response should be received by May 25, 2009.**

Should you have any questions, please contact me at (330) 963-1117.

Sincerely,



Kelvin Rogers
Environmental Specialist
Division of Surface Water

KR/mt

cc: Geary A. Visca, DLZ Ohio, Inc.
John Sellars, Director of Public Service, City of Fairlawn
Laurie Beisecker, Parks and Recreation Director, City of Fairlawn
David White, Summit County Engineers
Cindy Fink, Summit SWCD
Jason Fyffe, Ohio EPA, DSW, CO