

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

F

December 22, 2010

RE: LORAIN COUNTY  
SHEFFIELD TOWNSHIP  
MUNICIPAL STORM WATER PROGRAM

**NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Dave Newsome, Trustee  
Sheffield Township  
5166 Clinton Avenue  
Lorain, OH 44055

Dear Mr. Newsome:

Ohio EPA is reviewing your compliance status with the General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewer Systems (MS4s) #3GQ00117\*BG. A report of findings based on our MS4 inspection conducted September 20, 2010, is forthcoming, however, our records indicate that there are some administrative issues that still need to be addressed. Ohio EPA would like to clarify the status of the following:

- **Construction and Post-Construction Rules.** Lorain County enacted construction site rules on June 29, 2008, and post-construction storm water management rules on November 19, 2009. Nancy Funni at the Lorain Soil and Water Conservation District (SWCD), co-administrator for the County rules, indicates that an MOU between the County and Township was enacted for these measures, but it was terminated by the SWCD Board on April 23, 2010. Thus, Sheffield Township does not have a current MOU with an entity to implement this program within its jurisdiction. Part III.C of the NPDES permit allows Sheffield Township to enter into agreements with other entities to implement requirements of the NPDES permit, however the Township must maintain a written agreement with the party(ies) that are implementing control measures on your behalf. Until the MOU is re-executed with Lorain SWCD or other appropriate entity, or the Township establishes its own post-construction program, Sheffield Township appears to be in violation of the NPDES permit. Please review the status of your MOU with Lorain SWCD and provide me with your determination of how the Township wishes to implement its construction and post-construction programs.
- **Deficiencies in SWMP Plan.** Our files do not indicate that Sheffield Township has ever responded to our Storm Water Management Plan (SWMP) review letter dated June 4, 2004 (enclosed). Please indicate how you have addressed the deficiencies noted in this letter. The SWMP must be revised accordingly.

DAVE NEWSOME, TRUSTEE  
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Please provide me with a response letter clarifying the status of these compliance issues. Your response should be submitted **by January 14, 2011**.

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

Sincerely,



Dan Bogoevski  
District Engineer  
Division of Surface Water

DB:bo

pc: Jason Fyffe, DSW, CO  
Nancy Funni, Lorain SWCD  
Jerry Innes, Assistant Prosecutor, Lorain County

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**DAVE NEWSOME, TRUSTEE**  
**SHEFFIELD TOWNSHIP**  
**5166 CLINTON AVE.**  
**LORAIN, OH 44055**

2. Article Number **7009 1680 0001 9552 1288 D.BOGOEVSKI12/11/10**  
 (Transfer from service label)

PS Form 3811, February 2004

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 Addressee

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 Street, Apt. No., or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, August 2005 See Reverse for Instructions

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12/22/10