



**Environmental  
Protection Agency**

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

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July 1, 2010

RE: LORAIN COUNTY  
BLACK RIVER WATERSHED  
ELYRIA TWP.  
MUNICIPAL STORM WATER PROGRAM –  
ANNUAL REPORT

Mr. William Holtzman, Trustee  
Elyria Township  
42378 Griswold Rd.  
Elyria, OH 44035

Dear Mr. Holtzman:

On June 30, 2010, Ohio EPA received a copy of the Elyria Township Annual Report required by the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewer Systems (MS4s) #3GQ00105\*BG. We noted that you did not use the standard Annual Report Form referenced in the NPDES permit. Please note that Part IV.C of the NPDES permit requires you to use the Annual Report Form provided by Ohio EPA or request approval to use your own reporting format. Ohio EPA has no record that Elyria Township has requested to use its own reporting format. As such, **Elyria Township is in violation of Part IV.C of the NPDES permit.**

Ohio EPA is not opposed to the Township using its own format, but please be aware that regardless of format, Ohio EPA expects Elyria Township to collect and report the information specified in the standard Annual Report Form. A review of the information contained in your report indicates that Elyria Township failed to report a number of items listed in the standard Annual Report Form including, but not limited to:

- A Table of Organization indicating the name and contact information for the party responsible for program management and, if different, the parties responsible for each of the six minimum control measures (MCMs). The Table of Organization must identify how implementation of the MS4 program occurs across multiple positions, agencies and departments. A Memorandum of Understanding (MOU) must accompany the Table of Organization whenever the Township relies on a third party to conduct or manage a particular MCM, e.g., the Lorain Soil & Water Conservation District for MCM #4 or the Lorain County Board of Health for MCM #3.
- The theme or message, target audience, percentage of target audience reached and summary of results for each public education activity conducted during 2009 and planned for 2010.
- An estimate of the population within the MS4 permitted area for your community.
- The local code that prohibits illicit discharges to the township MS4.
- The number of outfalls that were dry weather screened, the number of outfalls with illicit discharge and the number of illicit discharges eliminated. For illicit discharges not yet identified, a schedule for elimination of those discharges must be provided.

Northeast District Office  
2110 East Aurora Road  
Twinsburg, OH 44087-1924

330 | 963 1200  
330 | 487 0769 (fax)  
[www.epa.ohio.gov](http://www.epa.ohio.gov)

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- Although there is a reference to it in the annual report, there is no Web link to the local code that requires the implementation of construction site runoff controls and post-construction stormwater management on sites that disturb 1 or more acre of land. You also did not indicate the number of plan reviews and site inspections conducted under these codes and the number of notices of violation or other enforcement actions taken under these codes.
- The number of complaints received and investigated regarding improper pollutant control on construction sites in the Township.
- Employee training on storm water pollution prevention provided during 2009. As a reminder, the NPDES permit requires the Township to provide storm water pollution prevention training to pertinent staff at least one time per year.
- The amount of waste removed from the MS4 through ditch cleaning, street sweeping, catch basin cleaning and other maintenance activities.
- The type and amount of road deicing materials used during 2009.
- The amount of pesticides, herbicides and fertilizers used during 2009.
- A list of variances granted under the storm water program, e.g., variances to a riparian setback ordinance.

Even if the response to some of these items is "zero" or "not applicable", it still needs to be reported as such. I have enclosed a blank Annual Report Form for your future use. You may also download a Word version of the document on our Web site at:

[http://www.epa.ohio.gov/dsw/permits/GP\\_MS4StormWater.aspx](http://www.epa.ohio.gov/dsw/permits/GP_MS4StormWater.aspx).

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

Sincerely,



Dan Bogoevski  
District Engineer  
Division of Surface Water

DB/mt

cc: Nancy Funni, Lorain SWCD  
Jim Body, Lorain County Health Department  
Jason Fyffe, Ohio EPA, DSW, CO