

**Environmental
Protection Agency**

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

F

December 22, 2010

RE: LORAIN COUNTY
COLUMBIA TOWNSHIP
MUNICIPAL STORM WATER PROGRAM

NOTICE OF VIOLATION

CERTIFIED MAIL

Dale F. Rundle, Trustee
Columbia Township
P.O. Box 819
25496 Royalton Road
Columbia Station, OH 44028

Dear Mr. Rundle:

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) #3GQ00107*BG. Our records indicate that there are some administrative issues that still need to be addressed. In particular, Part III.C of the NPDES permit allows Columbia 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. 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, Columbia Township does not have a current MOU with another entity to implement this program within its jurisdiction. Until the MOU is re-executed with Lorain SWCD or other appropriate entity, or the Township establishes its own post-construction program, Columbia 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 program.
- **Deficiencies in SWMP Plan.** Our files in the NE District Office do not indicate that Grafton Township has ever responded to our Storm Water Management Plan (SWMP) review letter dated June 2, 2004 (enclosed). Please indicate how you have addressed the deficiencies noted in this letter. The SWMP must be revised accordingly. If you have previously responded to this matter to our Central Office, please send me a copy of your response.

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

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

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

DALE F. RUNDLE, TRUSTEE
DECEMBER 22, 2010
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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

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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<p>1. Article Addressed to:</p> <p>DALE F. RUNDLE, TRUSTEE COLUMBIA TOWNSHIP PO BOX 819 25496 ROYALTON RD. COLUMBIA STATION, OH 44028</p>	<p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>ROBERT EICHENBERG 12/27/10</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>
<p>2. Article Number (Transfer from service label) 7009 1680 0001 9552 1233 D.BOGOEVSKI 12/21/10</p>	<p><input checked="" type="checkbox"/> Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

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12/21/10

Sent to *Dale F. Rundle*

Street, Apt., No., or PO Box No. *Columbia Twp*

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S Form 3800, August 2006 See Reverse for Instructions