



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

May 31, 2012

RE: CUYAHOGA
VILLAGE OF BROOKLYN HEIGHTS
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011
FACILITY PERMIT NO: 3GQ00001*BG
DATE OF INITIAL PERMIT COVERAGE: 3/19/2003
DATE OF NPDES PERMIT RENEWAL: 6/3/2009

Mr. Mike Henry, P.E.
Village Engineer
Village of Brooklyn Heights
345 Tuxedo Avenue
Brooklyn Heights, OH 44131

Dear Mr. Henry:

On April 27, 2012, Ohio EPA received a copy of the 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) #OHQ000002. Upon review, Ohio EPA has determined the following:

The annual report for reporting year 2011 is incomplete. In particular, the annual report does not provide the following information:

- The Village of Brooklyn Heights uses the Cuyahoga County board of Health to conduct parts of the IDDE program and Chagrin Valley Engineering to conduct parts of the Public Education and Outreach, Public Involvement, IDDE, Construction, Post-Construction, and Pollution Prevention/Good Housekeeping programs. The Memorandum of Understanding (MOU) between the Village of Brooklyn Heights and these third parties has not been provided. Please submit a current, signed copy of this (these) MOU(s) or contracts.
- Illicit discharges were noted in the report but not described in enough detail. An attachment that provides schedules for the elimination of illicit connections that have been identified but not yet eliminated. Please list each remaining incidence of known illicit connection, the address or other location indicator, a brief description of the situation and provide a schedule for its elimination.
- An attachment that identifies the construction sites within your jurisdiction that are subject to storm water pollution prevention plan (SWP3) review and site inspection. Identify construction start and end dates, as appropriate, and the NPDES facility permit number of each construction activity listed. For subdivided development, please provide a list of individual lots within the development, either by address or subplot number, upon which construction occurred during this reporting period, e.g., individual home building lots within a residential subdivision. Provide an indication as to whether or not your program includes inspection of individual lot construction.

Finally, the annual report indicates the following possible areas of non-compliance with performance standards contained within the NPDES permit:

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – The Village of Brooklyn Heights indicated that employee training on GHPP for municipal operations was conducted, however; only one person, CH from CVE, was listed as attending. If applicable in regards to the size of your department, more employees should attend training sessions and be aware of the procedures and regulations. It is expected that all relevant employees receive training on storm water pollution prevention practices. Relevant employees would include any employee whose job duties have an impact on storm water runoff quality.
- **Public Participation and Involvement** – The Village of Brooklyn Heights did not provide very detailed reporting on public involvement activity during the reporting period, and what was listed did not appear to be very effective. Please be aware that the NPDES permit requires you to conduct at least five public involvement activities during the current NPDES permit term.
- **Dry Weather Screening of MS4 Outfalls** – The Village of Brooklyn Heights did not conduct any dry weather screening of MS4 outfalls during the reporting period. Please be aware that you must conduct dry weather screening of 100% of your outfalls by the end of the current NPDES permit term. If this activity has already been completed, you are to prioritize outfalls with indicators of potential illicit discharge and perform on-going, follow-up investigations to identify sources of illicit discharge and eliminate them.

Please submit the items necessary to complete your annual report and, if violations or possible non-compliance are noted above, please provide me with a letter of response indicating the actions taken to correct these violations. For actions yet to be completed, provide me with a schedule by which corrective action will be complete. If we have incorrectly identified violations or areas of possible non-compliance, please provide a letter of explanation and documentation to support your position. Your response should be received no later than **June 15, 2012**.

If you have any questions, please contact me at (330) 963-1125 or via e-mail at kelly.mcvay@epa.ohio.gov.

Sincerely,



Kelly McVay
Assistant to the District Engineer
Division of Surface Water

KM/cs

cc: Ed Hatgas, Service Director

ec: Jason Fyffe, Ohio EPA, DSW, CO