



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

June 12, 2012

RE: LORAIN COUNTY
VILLAGE OF SOUTH AMHERST
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011

FACILITY PERMIT NO: 3GQ00059*BG
DATE OF INITIAL PERMIT COVERAGE: 4/1/2003
DATE OF NPDES PERMIT RENEWAL: 6/3/2009

NOTICE OF VIOLATION

Barbara Becker
Mayor
Village of South Amherst
103 West Main Street
South Amherst Village, OH 44001

Dear Ms. Becker:

On April 16, 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 Table of Organization does not identify how implementation of your MS4 program occurs across multiple positions, agencies and departments. Please specify the lines of communication between the parties involved in implementation of your MS4 program.
- The Village of South Amherst has not indicated who the responsible parties are for the Illicit Discharge, Construction, Post-Construction, and Pollution Prevention/Good Housekeeping programs.

Further, upon review of the annual report, it appears that the Village of South Amherst has not enacted the following required ordinances or resolutions, or met the following NPDES permit requirements:

- **Post-Construction Storm Water Management** –Failure to enact an ordinance or resolution equivalent in technical requirements to the Ohio EPA General Storm Water NPDES Permit for Construction Activities #OHC000003 is a violation of Part III.B.5.c of

the NPDES permit. This ordinance or resolution was to be enacted within two years of NPDES permit renewal.

Please be aware that failure to comply with the NPDES permit is a violation of Ohio Revised Code 6111.07 and is subject to penalties.

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

- **Mapping of MS4** – The Village of South Amherst has not completed the mapping of their municipal separate storm sewer system within the Urbanized Area (UA). Please be aware that mapping of outfalls was to be completed by end of your initial NPDES permit coverage. Mapping of the rest of the system must be completed within five years of NPDES permit renewal. Mapping is to include catch basins, pipes, ditches, flood control facilities, all publicly-owned post-construction water quality BMPs and those private post-construction water quality BMPs installed to meet requirement of the Ohio EPA NPDES permit for construction activities and/or your local post-construction ordinance.
- **Dry Weather Screening of MS4 Outfalls** – The Village of South Amherst 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.

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 27, 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: Jason Fyffe, Ohio EPA, DSW, CO