Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

June 12, 2012

RE: CUYAHOGA COUNTY
VILLAGE OF WALTON HILLS
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011

FACILITY PERMIT NO: 3GQ00064*BG
DATE OF INITIAL PERMIT COVERAGE: 4/3/2003
DATE OF NPDES PERMIT RENEWAL: 6/3/2009

NOTICE OF VIOLATION

Donald Sheehy, P.E.
Village Engineer
Village of Walton Hills
7595 Walton Road
Walton Hills, OH 44146

Dear Mr. Sheehy:

On April 4, 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 Walton Hills uses The Cuyahoga County Board of Health, TCWP, and Chagrin Valley Engineering to conduct parts of the Public Education and Outreach, Public Involvement, Illicit Discharge, Construction, Post-Construction, and Pollution Prevention/Good Housekeeping programs. The Memorandum of Understanding (MOU) between Village of Walton Hills and these third parties has not been provided. Please submit a current, signed copy of these MOUs or contracts.

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

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – The Village of Walton Hills does not identify any employee training for the reporting period. Please be aware that the NPDES permit requires employee training on storm water pollution prevention practices on an annual basis. Failure to conduct employee training during the reporting period is a violation of Part III.B.6.e of the NPDES permit.

- **Development of an Storm Water Pollution Prevention Plan (SWP3) for Municipal Operations** – The Village of Walton Hills does not indicate that they have developed an SWP3 for municipal facilities subject to industrial storm water permitting or for municipal facilities where operations described in 40 Code of Federal Regulations (CFR) Part 122.26(b)(14) occur. Please be aware that the NPDES permit required SWP3s to be developed and implemented at these facilities within two years of NPDES permit renewal. This is a violation of Part III.B.6.c of the NPDES permit.

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:

- **Public Participation and Involvement** – The Village of Walton Hills only reported two public involvement activities which reached <10% of the population during the reporting period. 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 Walton Hills 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 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: Kevin Hurst, Mayor, Village of Walton Hills

ec: Jason Fyffe, Ohio EPA, DSW, CO