



Environmental
Protection Agency

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

June 12, 2012

RE: MAHONING COUNTY
VILLAGE OF LOWELLVILLE
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011

FACILITY PERMIT NO: 3GQ00090*BG
DATE OF INITIAL PERMIT COVERAGE: 4/3/2003
DATE OF NPDES PERMIT RENEWAL: 6/4/2009

NOTICE OF VIOLATION

Rich Deluca
Storm Water Manager
Village of Lowellville
600 Water Street
Lowellville, OH 44436

Dear Mr. Deluca:

On February 7, 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 Lowellville uses the Mahoning County Health Department to conduct parts of the Illicit Discharge program and Mahoning County Soil and Water Conservation District to conduct parts of the Construction and Post-Construction programs. The Memorandum of Understanding (MOU) between the Village of Lowellville and these third parties has not been provided. Please submit a current, signed copy of these MOUs or contracts.
- The Post-Construction table on page 21 of 29 was left blank.

Further, upon review of the annual report, it appears that the Village of Lowellville 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 Home Sewage Treatment Systems (HSTSs)** – The Village of Lowellville has not submitted a list of all HSTSs within the UA that discharge to the MS4 and a storm sewer map showing their location. Please be aware that this list and map were to be completed within five years of your initial NPDES permit coverage.

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: James Iudiciani, Mayor, Village of Lowellville

ec: Jason Fyffe, Ohio EPA, DSW, CO