



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

June 25, 2012

RE: SUMMIT COUNTY
VILLAGE OF BOSTON HEIGHTS
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011

FACILITY PERMIT NO: 3GQ00065*BG
DATE OF INITIAL PERMIT COVERAGE: 4/3/2003
DATE OF NPDES PERMIT RENEWAL: 6/17/2009

NOTICE OF VIOLATION

David G. Krock
Village Engineer
Village of Boston Heights
45 East Boston Mills Road
Hudson, OH 44236

Dear Mr. Krock:

On March 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 Boston Heights uses the Summit Soil and Water Conservation District to conduct parts of the Public Education, Outreach and Public Involvement, Construction, and Post-Construction programs and the Summit County Health Department to conduct parts of the Illicit Discharge program. The Memorandum of Understanding (MOU) between the Village of Boston Heights and these third parties has not been provided. Please submit a current, signed copy of these MOUs or contracts.
- 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.

Further, upon review of the annual report, it appears that the Village of Boston Heights 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 Boston Heights 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.

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.

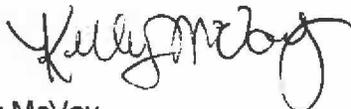
Finally, the annual report indicates the following possible areas of non-compliance with performance standards contained within the NPDES permit:

- **Mapping of MS4** – The Village of Boston Heights 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.

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 **July 10, 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: Bill Goncy, Mayor, Village of Boston Heights

ec: Jason Fyffe, Ohio EPA, DSW, CO
Phil Rhodes, Ohio EPA, DSW, NEDO