



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

July 9, 2012

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

FACILITY PERMIT NO: 3GQ00098*BG
DATE OF INITIAL PERMIT COVERAGE: 4/7/2003
DATE OF NPDES PERMIT RENEWAL: 6/3/2009

NOTICE OF VIOLATION

Edward Hren
Village Engineer
Village of Oakwood
24800 Broadway Ave.
Oakwood, OH 44146

Dear Mr. Hren:

On April 30, 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 Oakwood uses a consulting engineer 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 the Village of Oakwood and this consulting engineer has not been provided. Please submit a current, signed copy of this MOU or contract.

Further, upon review of the annual report, it appears that the Village of Oakwood has not met the following NPDES permit requirements:

- **Development of an Storm Water Pollution Prevention Plan (SWP3) for Municipal Operations** – The Village of Oakwood 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 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:

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – The Village of Oakwood indicated that employee training on GHPP for municipal operations was conducted; however, only two employees were listed as attending. 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.
- **Dry Weather Screening of MS4 Outfalls** – The Village of Oakwood 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.
- **Post-Construction BMP Verification** – During the reporting period, Ohio EPA received Notices of Termination for the following construction sites within your community:
 - Broad Oak Industrial Parkway – 3GC00207*AG
 - Division St. Extension 2 – 3GC03534*AG
 - Richmond Rd Bikeway & Sanitary Sewer – 3GC01019*AG

Post-construction BMPs were required to be installed and a long-term maintenance agreement was to have been developed for post-construction BMPs at these sites. For each of these sites, please indicate the post-construction BMPs installed and indicate if you have conducted an inspection to verify their installation.

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 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: Gary V. Gottschalk, Mayor, Village of Oakwood

ec: Jason Fyffe, DSW, CO