



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

July 9, 2012

RE: LORAIN COUNTY
SHEFFIELD TOWNSHIP
MUNICIPAL STORM WATER
ANNUAL REPORT REVIEW – 2011

FACILITY PERMIT NO: 3GQ00117*BG
DATE OF INITIAL PERMIT COVERAGE: 4/7/2003
DATE OF NPDES PERMIT RENEWAL: 6/4/2009

NOTICE OF VIOLATION

Dave Newsome
Trustee
Sheffield Township
5166 Clinton Ave.
Lorain, OH 44055

Dear Mr. Newsome:

On April 3, 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:

- A Table of Organization identifying the name and contact information for the party responsible for overall management and implementation of your program and each of the six minimum control measures. Guidance on developing a table of organization can be found on our website at <http://www.epa.ohio.gov/Default.aspx?tabid=2697>.
- Responsible parties were not listed for all tasks on the annual report. The corresponding boxes must be filled out and if Sheffield Township uses any third parties to conduct parts of the MS4 program, please submit a current, signed copy of the Memorandum of Understanding (MOU) or contract between Sheffield Township and these third parties.

- The *Construction Site Runoff Control and Post-Construction Storm Water Management in New Development and Redevelopment* pages were mostly left blank. These pages of the annual report must be completed. If no construction or post-construction activities occurred to be reported in this reporting period, please indicate this in the appropriate box. If applicable, an attachment that identifies the construction sites within your jurisdiction that are subject to storm water pollution prevention plan (SWP3) review and site inspection must be provided. 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.
- The *Illicit Discharge Detection & Elimination and Pollution Prevention/Good Housekeeping for Municipal Operations* pages of the report were not entirely complete and much information was missing. Complete these pages and submit them to our office.

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

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – Sheffield Township 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** – Sheffield Township 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:

- **Illicit Discharge Detection and Elimination** – Failure to enact an ordinance or resolution to prohibit illicit discharges into your municipal separate storm sewer system is a violation of Part III.B.3.d of the NPDES permit. This ordinance or resolution was to be enacted no later than five years from the date of your initial NPDES permit coverage. No information was provided on the annual report as to if such legislation exists or not.
- **Construction Site Runoff Control** – Failure to enact an ordinance or resolution that requires the implementation of sediment and erosion controls and controls for other pollutants on construction sites where the larger common plan of development or sale disturbs one or more acre. This ordinance or resolution was to be enacted no later than five years from the date of your initial NPDES permit coverage. No information was provided on the annual report as to if such legislation exists or not.
- **Post-Construction Storm Water Management** – Failure to enact an ordinance that requires the implementation of post-construction best management practices to address the quality of post-development runoff from new development or redevelopment where the larger common plan of development or sale disturbs 1 or more acre. This ordinance or resolution was to be enacted within five years from the date of your initial NPDES permit coverage. No information was provided on the annual report as to if such legislation exists or not.
- **Public Education and Outreach** – Sheffield Township did not conduct a public education and outreach program for a storm water theme or message during the reporting period. Please be aware that the NPDES permit requires you to conduct at least five storm water education campaigns during the current NPDES permit term, with at least one campaign targeting the development community. Education campaigns must employ more than one mechanism of message delivery.
- **Public Participation and Involvement** – Sheffield Township did not conduct a public involvement activity 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.
- **Mapping of MS4** – Sheffield Township has not indicated that they have 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 5 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.

- **Mapping of Home Sewage Treatment Systems (HSTSs)** – Sheffield Township 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.
- **Dry Weather Screening of MS4 Outfalls** – Sheffield Township did not indicate that they have 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 **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

ec: Jason Fyffe, Ohio EPA, DSW, CO
Dan Bogoevski, Ohio EPA, DSW, NEDO