



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

July 10, 2012

RE: TRUMBULL COUNTY  
CITY OF WARREN  
MUNICIPAL STORM WATER  
ANNUAL REPORT REVIEW – 2011

FACILITY PERMIT NO: 3GQ00021\*BG  
DATE OF NPDES PERMIT RENEWAL: 9/15/2009

**NOTICE OF VIOLATION**

Thomas A. Angelo  
Director  
City of Warren  
2323 Main Ave. SW  
Warren, OH 44481

Dear Mr. Angelo:

On March 29, 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>.

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

- **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.

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – the City of Warren 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 City of Warren 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:

- **Dry Weather Screening of MS4 Outfalls** – The City of Warren conducted dry weather screening of 31 MS4 outfalls during the reporting period and found six had flow; however, none of these were investigated. Please be aware that you must conduct dry weather screening of 100% of your outfalls by the end of the current NPDES permit term and are expected to identify the sources of any illicit discharges to serve the purpose of the screenings. An attachment that provides schedules for the elimination of illicit connections that have been identified but not yet eliminated should be provided with the annual report listing each remaining incidence of known illicit connection, the address or other location indicator, a brief description of the situation and a schedule for its elimination.
- **Post-Construction BMP Verification** – During the reporting period, Ohio EPA received Notices of Termination for the following construction sites within your community:
  - Warren Greenway Bike Trail Phase 1 – 3GC05090\*AG

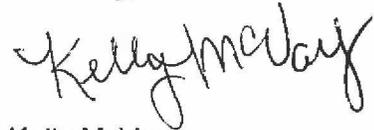
Post-construction BMPs were required to be installed and a long-term maintenance agreement was to have been developed for post-construction BMPs at these sites. For each of these sites, please indicate the post-construction BMPs installed and indicate if you have conducted an inspection to verify their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

CITY OF WARREN  
JULY 10, 2012  
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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](mailto:kelly.mcvay@epa.ohio.gov).

Sincerely,



Kelly McVay  
Assistant to the District Engineer  
Division of Surface Water

KM/cs

cc: William D. Franklin, Mayor, City of Warren

ec: Jason Fyffe, Ohio EPA, DSW, CO