Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

July 23, 2012

RE: CUYAHOGA COUNTY
CITY OF INDEPENDENCE
NOTIFICATION OF MUNICIPAL STORM WATER PROGRAM INSPECTION

Don Ramm
City Engineer
City of Independence
6335 Selig Dr.
Independence, OH 44131

Dear Mr.Ramm:

Ohio EPA has completed an audit for a portion of your municipal storm water program. Our audit primarily focused on implementation of minimum control measure (MCM) #6: Pollution Prevention and Good Housekeeping for Municipal Operations. This program is a requirement of the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small Municipal Separate Storm Sewers Systems (MS4s) OHQ000002 and Ohio Administrative Code (OAC) 3745-39.

On July 18, 2012, Ohio EPA met with you and other representatives of the City of Independence to determine compliance with the NPDES permit and the associated Storm Water Management Plan (SWMP). In performing this audit, Ohio EPA implemented the Municipal Storm Water Program Evaluation Guide developed by the United States Environmental Protection Agency.

Attached are the Municipal Storm Water Program Evaluation and Field Inspection Worksheet(s) completed for your community. Please review these documents in detail to determine specific elements where your pollution prevention and good housekeeping program needs improvement. In addition, you will find comments suggesting ways to improve your MS4 program. The following is a summary of our audit findings:

Violations

- **Failure to develop and implement a Storm Water Pollution Prevention Plan (SWP3) for the Elmwood Park Maintenance Garage and the Composting Facility.** This is a violation of Part III.B.6.d.iii.2 of the NPDES Permit and Ohio Revised Code (ORC) 6111.04 and 6111.07. These facilities are required to have SWP3s in accordance with Ohio EPA industrial storm water regulations. The SWP3s need to include a comprehensive site evaluation to be completed at least once a year. Any deficiencies in the SWP3 or in the implemented BMPs revealed by the inspection should be recorded and the SWP3 must be revised to correct the problems. The SWP3 should also identify the responsible party for site inspections, and designate a storm water contact person for the facility. A site map is also part of an industrial SWP3, identifying the drainage of all storm water as well as any potential pollutant sources The NPDES permit #OHQ000002 required SWP3s to be developed and implemented at these facilities within two years of NPDES permit renewal, i.e., June, 2011.

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- **Failure to implement procedures for the proper disposal of waste removed from your MS4, including City streets.** This is a violation of Part III.B.6.d.iii.3 of the NPDES permit and ORC 6111.04 and 6111.07. Catch basin cleanings and street sweepings are a solid waste and any liquids, which are decanted from such materials, as well as storm water, which contacts stockpiles of this material, is leachate, a wastewater, and must be managed accordingly. The City must implement best management practices (BMPs) to prevent the discharge of this leachate such as berming the area to contain the decanted liquids, adding a sanitary drain to the storage area, or moving the pile indoors where drains are attached to sanitary. See comments in the attached worksheets for suggestions and recommendations.

- **Failure to provide controls for reducing or eliminating the discharge of pollutants from the Service Department.** This is a violation of Part III.B.6.d.iii.2 of the Small MS4 NPDES Permit #OHQ000002 and ORC 6111.04 and 6111.07. This violation was noted for the following operations at this facility:

    - Failure to provide containment for the small stockpile of street sweepings and catch basin cleanings. Refer to the Maintenance Facility Field Inspection Worksheet for further information.
    - Failure to implement sediment controls around material stockpiles, e.g. sand, topsoil, gravel, and dirt piles and to prevent the discharge of sediment to the storm water inlet at the end of this paved area from these piles.
    - Failure to prevent the discharge of excavated materials to a storm drain just outside of the fence near the storage area.
    - Failure to provide containment for open used drums stored outside of the facility, exposed to the elements.
    - Failure to keep all dumpsters lidded and plugged to prevent the discharge of wastewater to the City's MS4.

  Further, the City is noted as having failure to prevent the discharge of sediment to a stormwater inlet behind the Elmwood Park Maintenance Facility from a pile of dirt from grounds cleanup activities.

  The MS4 permit does not authorize the city to discharge leachate or wastewater, thus controls for these unauthorized discharges must be implemented immediately. Further, measures must be taken to minimize the potential for discharges of pollutants to the MS4. Implementing practices such as secondary containment, inlet protection, lidded dumpsters and capping floor drains achieves this goal. Please review the comments within the attached *Municipal Storm Water Program Evaluation* and *Maintenance Facility Field Inspection Worksheets* regarding these operations.

- **Failure to submit a Notice of Termination (NOT) within 45 days of reaching final stabilization on municipal construction projects.** This is a violation of Part IV.A of NPDES permit #OHC000003. Our records show that the City of Independence has six active projects permitted under the Ohio EPA General Storm Water NPDES Permit for Construction Activities but indicated during the interview that five of these six projects were completed and have reached final stabilization. Please submit NOTs for all of these completed projects (see attachments for the list of projects).

Deficiencies

- The SWP3 created for the Service Department needs to be improved. The checklist included in the SWP3 must be completed at an inspection frequency set in the SWP3 and records retained with the plan. In addition, a map must be included with the plan, which identifies the drainage of all storm water as well as any potential pollutant sources. Please update and improve your SWP3 for the Service Department accordingly to address any issues discussed during the site inspection or on the Service Department Facility Inspection Worksheet attached.

- The City has not developed checklists to inspect the Elmwood Park Maintenance Garage and the Composting Facility. We strongly recommend the creation of storm water inspection checklists for these facilities to standardize inspections and remind inspectors of the critical areas that must be reviewed during an inspection. Checklists should be included in the SWP3s for facilities that require one.

- Salt is currently stored in a dome on a gravel surface. It is strongly recommended that salt be stored on an impervious surface to minimize the risk of ground water contamination.

- A large amount of tires were stored outside of the facility. It is recommended that fewer tires be kept on site and they be kept indoors or in a covered container as they can be a fire hazard and a breeding ground for mosquitos.

- Please be sure to the total amounts of catch basin cleanings and street sweeping spoils, as it is required to be reported on the new Annual Report form. The amount of street sweepings should be tracked separately from the amount of catch basin cleanings. In addition, the City needs to track salt usage, catch basin cleaning, and street sweeping on a January-to-December calendar basis rather than a seasonal total as stated in Part IV.C of the Small MS4 NPDES Permit #OHQ000002 for reporting with the new Annual Report form.

- The City has not provided any storm water pollution prevention guidance materials to field staff that they can take out with them in the field. By making materials available to staff at the field level, implementation of storm water BMPs should improve.

- The City did not provide me with a copy of a pesticide, herbicide and fertilizer application plan. The development of a formal application plan is an important tool in minimizing the application of these storm water pollutants. Please provide me with an application plan.

- The City has not developed contract language to require storm water BMP implementation when a third-party provides municipal operations on behalf of the City. Contract language must be added to all contracts with such parties, e.g., operators that provide car impoundment, herbicide/ pesticide application and mulching services, as well as road maintenance activities and emergency repairs. Further, we recommend periodic inspection of their operations to assure that they are implementing BMPs.

Please review my comments and provide me with a letter of response indicating the actions you will take to address my concerns. **Your response should be received no later than August 24, 2012.** Please note that this response does not replace the requirement to submit an Annual Report. Your annual report for 2012 will be due on April 1, 2013.

If you have any questions, please contact me at (330) 963-1125 or via e-mail at kelly.mcvay@epa.ohio.gov. Should you need further assistance after August 2, 2012, please contact Dan Bogoevski, District Engineer, Division of Surface Water, Northeast District Office at (330) 963-1145.

Sincerely,

Kelly McVay
Assistant to the District Engineer
Division of Surface Water

KM/cs

cc: Dave Snyderburm, Service Director, City of Independence (COVER LETTER)
Ed Kostyach, Director of Recreation Department (COVER LETTER)
Laura Travers, Cuyahoga County Board of Health (FULL REPORT)
Gregory P. Kurtz, Mayor, City of Independence (COVER LETTER)

ec: Dan Bogoevski, Ohio EPA, DSW, NEDO

Municipal Storm Water Program Evaluation
MS4 Maintenance Component Worksheet

Date of Evaluation	Wednesday, July 18, 2012
Evaluator Name, Title	Kelly McVay,Ohio EPA, DSW, NEDO
MS4 Permittee	City of Independence 3GQ00017*BG

Instructions: Use this worksheet as a guide for questioning MS4 staff and reviewing applicable documents. Keep in mind that additional questions may be necessary based on local regulations, MS4 permit requirements, implementation strategies, or water quality issues. Remember to obtain copies of any applicable documents or files which may assist in writing the MS4 evaluation report.

Staff Interviewed		
Name	**Department/Agency**	**Phone Number/Email**
Dave Snyderburn Service Director	Service Department City of Independence	(216) 406-3965 snyderburnd@independenceohio.org
Ed Kostyach	Recreation Department City of Independence	(216) 524-3263
Tony Appenzeller	Recreation Park-Maint. City of Independence	(216) 524-7322
Don Ramm City Engineer	Engineering Department City of Independence	(216) 524-1374 rammdo@independenceohio.org
Laura Travers Program Manager	Cuyahoga County Board of Health	(216) 201-2020 ext. 1225 ltravers@ccbh.net
Tom Walchanowicz	Recreation Department City of Independence	(216) 524-3262 walchanowiczt@independenceohio.org

MS4 Mapping		
Interview Questions	**Response**	
Outfalls and receiving waters mapped? Catch basins? Pipes, ditches, other conduits? Public stormwater facilities (BMPs)? Private stormwater facilities (BMPs)?	**YES** **NO** **YES** **NO** **NO**	
How are maps used (i.e. tracking illicit discharges)?	Maps are used to refer to when dye tests are done and in response to any problems which might arise and need tracking or repairs.	
Applicable Documents	**Reviewed**	**Obtained**
Map(s) of MS4 system	YES	YES

Notes
MS4 Mapping The City of Independence has mapped their outfalls and other stormwater conveyances as well as some of their catch basins. Stormwater facilities have not yet been mapped, but a list of facilities has been created so mapping them would not be too great a task at this point. To meet the mapping obligations of NPDES Permit #OHQ000002, i.e., the MS4 permit in effect from 2009-2014, the map must show ***catch basins*** and ***publicly-owned storm sewers, ditches, conduits*** and storm water management facilities (including ***publicly-owned post-construction BMPs and underground retention***). In addition, the map must show ***privately-owned storm water management facilities*** constructed as post-construction BMPs for new development or redevelopment which has occurred since April 21, 2003.

Catch Basin Cleaning	
Interview Question	**Response**
Schedule established for inspections and cleaning?	**NO** There is no specific schedule for cleaning. The City concentrates on basins which are near road construction work since they tend to need the most attention. The City contracts out some of the storm pipe and basin cleanings and does some in house.
Is cleaning and maintenance of catch basins tracked:	YES The streets which have been cleaned and the amount of material removed are tracked.
How are spoils materials disposed of?	Street sweepings and catch basin cleanings are stored in a covered area inside a building at the Service Department and then taken to Boyas or Norton landfill (Rumpke) for disposal. The storage area at the Service Department does not have a drain and drains out towards the parking lot based on the grading observed.
Are storm drain pipes inspected? Proactive or only in response to blockage event?	YES Proactive.

Applicable Documents	Reviewed	Obtained
List of active municipal construction projects	YES	YES
CHECK DATABASE BEFORE INSPECTION: List of municipal projects covered under the Ohio EPA general storm water NPDES permit for construction activities		
3GC05411*AG - Selig Drive/ITC/Brecksville Road (SR21) Intersection		ACTIVE
3GC03831*AG - Wisniesky Parkway *NOT		DONE – FILE NOT
3GC04717*AG - Lower Brookside Improvements *NOT		DONE – FILE NOT
3GC02446*AG - Frontage Road D *NOT		DONE – FILE NOT
3GC03103*AG - Frontage Road E *NOT		DONE – FILE NOT
3GC02445*AG - Rockside Road Central Section *NOT		DONE – FILE NOT
NOTE: Permit is only required if project disturbs 1 or more acre (5 or more acres for "routine maintenance")		

Notes
Municipal Construction Projects If construction is complete or the project is no longer viable, please submit Notices of Termination (NOTs) for these projects to close out NPDES permit coverage. The NOT and instructions can be obtained on the Ohio EPA Storm Water Program webpage at www.epa.ohio.gov/dsw/storm/stormform.aspx. As a reminder, coverage under the Ohio EPA General Storm Water NPDES Permit for Construction Activities is to be terminated within 45 days of when the project reaches final stabilization. Please be sure to incorporate this requirement into your procedures on all future projects.

Stormwater Management Facilities Operation and Maintenance	
Interview Questions	**Response**
Public facilities inspected? Frequency:	**YES** The City just acquired a contract with the Cuyahoga Soil and Water Conservation District (CSWCD) which has CSWCD do these inspections. No frequency has been established yet, as only one inspection of each facility has been done so far.
Private facilities inspected? Frequency:	**YES** The City just acquired a contract with CSWCD which has them do these inspections. No frequency has been established yet, as only one inspection of each facility has been done so far.
Checklist used for inspections?	**NO** The City is unsure whether or not Todd Hauser, who performs these inspections for CWSCD, uses a checklist or not.
Have maintenance standards and procedures been established for these facilities?	**YES**
How is maintenance prioritized? Is data evaluated to target maintenance resources?	The City themselves inspect these facilities maybe once per year, typically in response to problems. They City would simply start at one end of town and go to other to inspect and do maintenance on these facilities if need be.

Applicable Documents	Reviewed	Obtained
Inspection checklist	NO	NO

Notes

Road Maintenance	
Interview Questions	**Response**
Streets regularly swept? Frequency:	**YES** The sweeper truck runs about two times per week. The City gets to each street about 10 times each year and keeps logs of the streets hit and amount of material removed.

Road Maintenance	
Interview Questions	**Response**
Frequency based on water quality factors (e.g. proximity to streams)?	**NO**
How are spoils disposed of?	Spoils are disposed with catch basin cleanings, as described above.
Does the community collect road kill? What do they do with the carcasses? **NOTE:** MS4s are not obligated to collect road kill, but if they do, can be disposed in dumpsters or taken to a licensed, Class II composting facility. Cannot have pile of carcasses stacked up. This is open dumping.	**YES** Carcasses are disposed of in the rubbish dumpster at the Service Center and taken to Rumpke for disposal.
Does the community have a leaf collection program? What do they do with the collected leaves? **NOTE:** Landfills have been banned from accepting yard waste, so MS4 cannot place leaves and yard waste in dumpster. Must be composted at a licensed Class IV composting facility. Communities may temporarily store leaves awaiting transport to a composting facility but leachate must be prevented from discharging.	**YES** The City takes collected leaves to the City composting facility.
BMPs used during road maintenance activities? Describe types of road maintenance conducted by community staff and the BMPs used	**YES** The City does small asphalt patching, landscaping, minor catch basin repairs, and minor culvert repairs in house. The City uses BMPs such as sweeping up after work is done, reseeding all lawns with a hydro seeder/straw immediately after repairs are made, putting silt fabric down, and using inlet protection.
BMP guidance available to field staff?	**YES** The City does have a Storm Water Manual which is available to all staff members. It was recommended that more information be provided to staff, such as brochures which they can take on the field. Posters were given to the City as an example of more BMP guidance.
Deicers used by MS4?	**YES**
Type and amount of deicer and additives tracked? What measures are being taken to minimize the application of deicers?	**YES** The City uses salt and began using brine as well in 2010. Currently the City reports what is purchased and not the amount used since barely any is ever left over. The City uses sensible salting practices and only salts hills, intersections, and main roads typically. They have decreased salt usage by about 20% over past few years.

Road Maintenance	
Interview Questions	**Response**
Sand/salt swept up after application? How soon?	**YES** Streets and the dome area are swept up same day if spills occur.
Does your community operate a snow stockpile yard to store snow that has been removed from community streets and parking lots? If YES, location of the yards: Has your community considered implementing best management practices to control the discharge of pollutants from snowmelt associated with snow storage yards? If YES, what BMPs have you implemented?	NO N/A

Applicable Documents	Reviewed	Obtained
BMP guidance	YES	NO
Street sweeping records	YES	YES
Deicer application records	YES	YES

Notes

Street Sweeping Disposal

At this time, there is no containment of the pile of sweeping spoils and catch basin cleanings, which allows for an illegal discharge of leachate. This is a violation of Part III.B.6.d.iii.3 of the NPDES permit #OHQ000002 and Ohio Revised Code 6111.04 and 6111.07. The City must find an alternative storage method for handling street sweepings and catch basin cleanings to prevent the leachate from discharging. More information on this issue can be found on the Service Center Facility Inspection Worksheet.

*Also, the City needs to *track the amount of material removed from the City's streets so the total amount can be placed in the City's annual report for 2012.* Please be sure to report the total per calendar year (January to December) in the annual report for 2012 as stated in Part IV.C.2 on reporting of the Ohio EPA General Storm Water NPDES Permit for small MS4s #OHQ000002.

Deicer Usage

Please be aware that the Annual Report requires salt usage information, not salt purchased amounts, to be reported on a January to December calendar year basis. This may require you to adjust how you summarize salt usage data, as most communities have typically been tracking usage on a winter season basis. Please keep in mind that the City is required to track salt usage as well as the use of additives, i.e., brine.

Flood Management	
Interview Questions	**Response**
Inventory of flood management structures completed?	**YES**
Structures been assessed for stormwater retrofit?	**YES** The Rockside Road construction project has led to the City working on a retrofit of an existing detention basin to treat water quality.

Flood Management			
Interview Questions	**Response**		
New structures include water quality considerations?	YES A private developer recently built a new flood management structure and considered water quality.		
Applicable Documents		**Reviewed**	**Obtained**
Inventory		YES	YES

Notes
Stormwater Retrofits The City's public stormwater management facilities should be looked at for possible retrofit opportunities so that they treat the Water Quality Volume (WQv). The current MS4 permit (OHQ000002) does not require the City to implement retrofit projects, but they are an important piece of the storm water management puzzle for older, developed parts of the community. Current post-construction requirements only affect areas where new development or redevelopment disturbs 1 or more acre of land. This program will not create BMPs in previously-developed areas unless they are being redeveloped and the 1-acre threshold is met. As such, US EPA is evaluating whether retrofits should be required in future generations of the MS4 permit. It is important to look for retrofit opportunities by making a list of potential water quality enhancement projects and focusing on the implementation of green infrastructure. Typically, retrofitting the outlet structures of existing detention and retention basins to provide extended detention of the WQv is the easiest and most feasible type of retrofit project. However, **preferred retrofit projects include installing bioretention cells in existing parking lots or along residential streets, resurfacing with permeable pavement and establishing incentive programs for rain gardens, rain barrels and other forms of downspout disconnection in residential neighborhoods.**

Facilities Operation & Maintenance		
Interview Questions	**Response**	
Inventory of MS4 facilities complete (i.e. facilities owned and operated by the MS4)?	**YES**	
Types of facilities included *These need their own NPDES storm water permit for industrial activities, if there is a discharge of runoff from these operations:*		
	Response	**SWP3 Developed?**
• Landfills Type:_____	**NO**	**N/A**
• Airports	**NO**	**N/A**
• Shipping Ports or Marinas	**NO**	**N/A**
• Steam Electric Power Plants	**NO**	**N/A**
• Wastewater Treatment Plants ≥ 1 MGD or with a pretreatment program	**NO**	**N/A**
	NOTE: No permit or SWP3 required if facility has no exposure. However, even if a No Exposure Certification has been submitted for the facility, inspect to verify validity.	
These do not need their own permit, but do have to develop an SWP3 unless noted as N/A:	**Response**	**SWP3 Developed?**
• Impound Lots	**NO**	**N/A**
• Leaf Collection Yards ✓ No discharge of leachate permitted	**NO**	**N/A**

Facilities Operation & Maintenance		
Interview Questions	Response	
• Maintenance Yards ➢ How many do they operate? __2___ ➢ List facility names/locations: **Service Department** **6350 Selig Drive** **Elmwood Park Maintenance Garage** **6200 Wisnieski Parkway**	**YES** **YES** **NO**	
	Response	**SWP3 Developed?**
• Composting Operations ✓ No discharge of leachate permitted	**NO**	**NO**
• Solid Waste Transfer Stations or Operations ✓ Under landfill permit if community owns the transfer station and the landfill where waste will be taken ✓ If not, then SWP3 is only needed if vehicle maintenance, equipment washing or fueling activities occur at the transfer station, **or** if a portion of the facility is involved with recycling or composting	**NO**	**N/A**
• Parks & Cemeteries ➢ How many in UA? ____2__ ➢ List facility names/locations: **Mapleside Cemetery** **Rockside & Brecksville Rd.** **Elmwood Park**	**YES**	**N/A**
• Parking Lots ➢ How many do they operate? ___1__ ➢ List facility name/locations: **Paved City lot** **Brecksville Road btwn Chestnut & Sunset.**	**YES**	**N/A**
• Bus Terminals	**NO**	**N/A**
• Vehicle Maintenance Garages ➢ How many do they operate? __2___ ➢ List facility name/locations: **See Maintenance Yards list above**	**YES** *SWP3 (or, in case of airport and shipping port, NPDES permit for industrial storm water) required only if vehicle maintenance, equipment cleaning or deicing operations occur.	**NO**

Facilities Operation & Maintenance	
Interview Questions	**Response**
Facilities inspected? **NOTE:** Go through list above where YES is response and write in answers for each activity. Frequency: **NOTE:** Go through list above where YES is response and write in answers for each activity.	**NO** The Composting Facility is inspected by the Health Department once per month if material is on site for solid waste regulations. They may look for leachate, but otherwise this is not a stormwater oriented inspection.
Checklist used? **NOTE:** Go through list above where YES is response and write in answers for each activity. Checklist should be part of SWP3.	**NO** A checklist has been developed in the SWP3 for the Service Department, but has not yet been used. Checklists have not been developed for other facilities.
Staff which perform the inspections (department or agency: **NOTE:** Go through list above where YES is response and write in answers for each activity. Checklist should document name of inspector.	No formal storm water inspections have been performed.
Is there a designated stormwater contact person for each facility? **NOTE:** Go through list above where YES is response and write in answers for each activity. Name is SWP3 should match name given. If not, SWP3 must be updated.	**NO**
Describe enforcement procedures used to address noncompliance on a MS4-owned facility, i.e., what disciplinary measures are taken against those that do not implement standard operating procedures?:	A verbal reprimand would be given. So far the City has not had to write any one up. They would more than likely have to go by union rules.
Parking lots owned/operated by the permitee swept? Frequency? Do you operate any asphalt parking lots? Do you use any coal tar-based sealants on those asphalt parking lots? **NOTE:** Some MS4s have banned the use of coal tar-based sealants in their communities. Research from the University of New Hampshire Stormwater Center and by the City of Austin, TX, has shown these sealants contaminate soil and runoff with PAHs and benzo(a)pyrene, a known carcinogen. If a sealant must be used, asphalt-based sealants are preferred.	**YES** About 2 times per year or as needed. **YES** **NO** The City does crack sealing with an asphalt based sealant

Facilities Operation & Maintenance	
Interview Questions	**Response**
Do you have any combined sewer systems?	**NO**
If yes, do you have any combined sewer overflows? ➢ How many? _____ ➢ Do you track frequency and volume?	N/A
Are you aware of any illicit cross connections between your sanitary sewer and MS4?	**YES**
If so, what is your plan to eliminate this illicit discharge?	One illicit connection was corrected last year and another one was just corrected on Valley View. There is one other illicit connection that just came to their attention which the City is working on correcting now. The City is tracking the illicit discharge and working on going into houses to find the source and correct it.
Have you investigated the extent of infiltration and inflow into storm sewer system?	**YES**
What methods have been used to conduct this investigation?	A camera is used on the lines every year and the City tries to fix pipes when they find issues. The City has mostly been focused on I&I to the sanitary sewer in the past.
What are your plans to repair and eliminate this source of illicit discharge?	The City has not found any illicit discharges from I&I to the storm sewer at this time.
Sewer spill and cleanup procedures in place?	**YES**

Applicable Documents	Reviewed	Obtained
Facility inventory	YES	YES
Facility SWPPP	YES	YES

Notes
Storm Water Pollution Prevention Plans (SWP3s) A Storm Water Pollution Prevention Plan (SWP3) must be developed and implemented for the following facilities: • Elmwood Park Maintenance Facility • Composting Facility The Ohio EPA General Storm Water NPDES Permit for Small MS4s #OHQ000002 requires the City of Garfield Heights to develop and begin implementing the SWP3 for these facilities within 2 years of permit renewal, i.e., by June 2011. The City indicated that the Fire Station may occasionally hose off trucks, which would require a SWP3 to be developed for these facilities. Washing operations must cease at this facility or a SWP3 must be created. The above facilities must be inspected at a frequency specified in the SWP3. Ohio EPA recommends

Notes
that facilities be inspected monthly. A comprehensive site evaluation must be conducted at least once per year and a record of that inspection and its findings must be kept with the SWP3. If this annual inspection reveals deficiencies in the SWP3 or BMPs that are ineffective, the SWP3 must be revised to correct the problems. The SWP3 should contain a checklist to provide consistency to facility inspections. The SWP3 should also identify who is responsible for facility inspections as well as a storm water contact person for the facility. For guidance on developing a **site map**, please reference Ohio EPA General Storm Water NPDES Permit for Industrial Activities #OHR000005 ***Part 5.1.2s*** Also refer to the following website for information on developing SWP3s for these facilities: http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx Further, the SWP3 created for the Service Department was reviewed and needs some improvement. The checklist included in the SWP3 must be completed at an inspection frequency set in the SWP3 and records retained with the plan. Also, a map must be included with the plan which identifies the drainage of all storm water as well as any potential pollutant sources. Please update and improve your SWP3 for the Service Department accordingly to address any issues discussed during the site inspection or on the Service Department Facility Inspection Worksheet attached.

Pesticides, Herbicides & Fertilizers	
Interview Questions	**Response**
Certified applicators used?	**YES** Tom Walchanowicz is the certified applicator on the City staff. The City mainly contracts out pesticide application.
Integrated Pest Management (IPM) practices used?	YES
Storage location of pesticides, herbicides, and fertilizers:	Very little product is kept on site as the City tries to only buy small amounts of what they plan to use. A few pails of these chemicals and tubs of liquid fertilizer are stored inside the Elmwood Park Maintenance Garage.
BMPs used during application:	All material is blown off of the sidewalks after application. The City does not fertilize or put weed killer around streams/drains/lakes and tries to minimize usage since many people play on the grounds in the parks.
Fertilizer/pesticide application plan utilized?	NO Some information was written in the annual report about general application policy and the City does keep records of how much material is used at a certain time and location. No formal plan has been created.

Applicable Documents	Reviewed	Obtained
Fertilizer/pesticide application plan	NONE	NONE

Notes
Application Plan The City does not have a documented pesticide, herbicide and fertilizer application plan. The application records should keep track of the name of the substance being applied and the type of chemical, amount used and time the material is being applied as well as who the applicator was. If a contractor is being used as well, the *City needs to include language into the contract that requires the contractor to consider pollution controls where the activities undertaken are a potential source of storm water pollution.* Please provide me with a copy of the City's pesticide, herbicide and fertilizer application plan.

Notes
NPDES Permits for Pesticide Application On October 31, 2012, Ohio EPA issued a general NPDES permit for the discharge of biological pesticides and those chemical pesticides that leave a residue (NPDES permit #OHG870001). MS4s that apply such pesticides in, over or near waterways, e.g., as part of golf course or green space management, are subject to the requirements of this NPDES permit. Most situations are covered by rule meaning submittal of an NOI (permit application) is typically not required. However, an NOI is required if pesticides are applied: • Directly to public water supply reservoirs • To very high quality waters (outstanding national resource waters, outstanding state waters or superior high quality waters other than Lake Erie) • To waters to control non-native fish populations • To more than 80 acres of wetlands per year • To forests, or applied aerially to Lake Erie The best way for MS4s to avoid a permit violation is to leave a buffer around surface waters (lakes, ponds, wetlands, rivers, streams and ditches that connect to surface waters or ground water) when applying pesticides. Ohio EPA has not set technical criteria for the term "near water" because doing so would not limit an applicator's liability under the federal Clean Water Act. If you must apply pesticides to surface waters, e.g., mosquito control, it must occur in compliance with the NPDES permit. If the treatment area exceeds certain thresholds, there are additional documentation and reporting requirements. Those thresholds are: • 6400 acres for mosquito/insect control • 80 acres for wetland and lake application • 20 linear miles for stream/ditch bank application or intrusive vegetation control Communities with populations less than 10,000 are not required to implement Integrated Pest Management (IPM) and do not have to prepare a Pesticide Discharge Management Plan, even if thresholds are exceeded. However, they must still submit the annual report required by NPDES permit #OHG870001 to Ohio EPA. All applications of pesticides and herbicides "in, over or near" surface waters are covered, including small-scale uses. A fact sheet on the new permit can be found on the Ohio EPA website at http://www.epa.ohio.gov/portals/35/permits/Pesticide_Final_FS_oct11.pdf. If you need more information about this program, please contact Eric Nygaard in our Central Office at (614) 644-2024.

Standards, BMPs, & Outreach	
Interview Questions	**Response**
BMP technical guidance document available to maintenance staff?	**YES** Some information is posted in the Elmwood Park Maintenance Garage and the Storm Water Manual is available to all staff.
MS4 use contractual staff to complete MS4 maintenance activities?	**YES** The City contracts out larger road maintenance projects and some of the pesticide application.
BMP guidance materials provided to contracted staff?	**NO**
Requirement to consider stormwater impacts and utilize appropriate BMPs in contracts?	**NO**

Standards, BMPs, & Outreach	
Interview Questions	**Response**
Materials used to educate the public regarding stormwater impacts on MS4 property (if applicable, i.e. public spaces):	Pet waste: The City has pet stations around the park to pick up after pet and has bags available. It was suggested that signage be added to tie the problem into water quality. Litter reduction: The City has "No littering" signs posted at the entrances of the park and around the park. It was suggested that signage be added to trash bins to tie the problem into water quality.

Applicable Documents	Reviewed	Obtained
BMP manual or guidance document	YES	YES
Contract language for MS4 operation and maintenance activities	NONE	NONE

Notes

Technical Guidance and Specifications for Maintenance Staff

The City could improve the dissemination of technical guidance to its maintenance staff on storm water pollution prevention matters. The City should look for posters that can be hung in work areas or lunchrooms, or guidebooks and brochures that can be taken out into the field with maintenance crews. This will help reinforce employee training. Once prepared, the City will need to train staff on the SWP3s for the Elmwood Park Maintenance Facility and the Composting Facility and should look to adopt standards and specifications for storm water pollution prevention implementation in all its municipal operations with the potential to ease pollutants in storm water runoff (e.g., *prohibiting the Fire Department from washing vehicles outside and providing inlet protection at parks with baseball diamonds etc.*). Existing guidance manuals you may find useful to meet this goal include the ***Rainwater and Land Development*** manual (ODNR, 2006) and the ***Municipal Pollution Prevention/Good Housekeeping Manual #9*** (Center for Watershed Protection, September 2008). This manual is available as a free download on their website at http://www.cwp.org/formmaker/Download-Form_RedirectFormPage.html.

Contracted Staff

Contracted staff includes those working on road maintenance projects and pesticide application. Please be sure to include language requiring pollution controls in all contracts and requests for proposal (RFPs) where the activities are a potential source of storm water pollution. The operations of third party service providers should be reviewed periodically by the City to ensure that the required pollution controls are being implemented.

Staff Education and Training	
Interview Questions	**Response**
Staff trained to identify potential storm water pollution sources which would result in an illicit discharge? Frequency:	**YES** Every staff member attends an annual training session on BMPs which is presented by the Cuyahoga County Health Department. Frequent informal in house training is often provided on the proper procedures as well.
Materials used to train staff:	Videos, a PowerPoint presentation, and a post presentation quiz are provided by CCBH. Some staff members also have attended workshops.

Staff Education and Training		
Interview Questions	Response	
Applicable Documents	Reviewed	Obtained
Training materials	YES	YES

Notes

FIELD INSPECTION WORKSHEET
MS4 SWMP Evaluation
MS4 Maintenance Facility Field Inspection Worksheet

Permittee: City of Independence – Elmwood Park Maintenance Garage	
Address of facility: 6200 Wisnieski Parkway	**Size of facility:** 1 acre
Date of visit: 7/18/2012	**Time of visit:** 10:50am
Provide the name(s) and title(s) of permittee staff present during inspection	
Name	**Title**
Laura Travers	***CCBH***
Tony Appenzeller	***Recreation Department***
Tom Walchanowicz	***Recreation Department***
Evaluator Observations:	
SWPPP or stormwater plan	
Has the maintenance facility developed a SWPPP or stormwater plan?	**NO**
Does the plan include a site map, list of pollutant sources, BMPs, and maintenance procedures?	No plan has been created.
Does the permittee conduct and document periodic inspections of the facility?	**NO**
Are storm drains labeled and free of debris?	**YES**
Vehicle maintenance, fueling and washing	
Are vehicle maintenance activities conducted in a designated place not exposed to stormwater?	**YES**, smaller vehicle maintenance activities are conducted at this facility, such as changing filters and oil. All maintenance such as this is done in the garage where the drains are connected to an oil separator which discharges to sanitary sewer.
Are fueling stations properly designed with spill kits nearby?	No fueling stations are at this facility.
Are vehicles washed on-site? Is wash water discharged to the MS4 or sanitary sewer?	Vehicles are sometimes rinsed inside the garage, where the drains are connected to sanitary, or they are taken to the Service Department wash bay.
Material storage	
Are all materials that are potential stormwater contaminants stored under cover or in secondary containment?	Dirt used for the ball fields was kept in a three walled area. Red trails across the pavement indicated that some of this material had been tracked out of this area towards the storm drain. This dirt pile should have more containment provided to prevent the material from leaving its designated area and heading towards the storm drain. As discussed, a roof or tarp to cover the area or installation of a berm to better contain the material may be possible options of correcting this issue.
Hazardous waste management	
Are all hazardous materials properly labeled and stored to prevent exposure to stormwater runoff?	**YES**, any potentially hazardous materials are stored in lockers in the garage.
Waste management	
Are waste bins covered with waste properly disposed in containers?	The general trash dumpster was covered at the time of inspection. Some dumpster juices were seen on the ground though. The City said that this liquid is from soda or beverage containers in the trash which leak out the corner of the dumpster when it is moved. This liquid cannot be released to the MS4. All dumpsters should be

	inspected to ensure that the seals are correctly in place and no holes are present so that this leaking does not occur.
How is landscape waste stored?	A small pile of dirt from cleaning up gardens and yards around the City was stored at this facility. This pile was stored on the grass near a slope which leads to a creek and right next to a storm drain. Sediment had collected around this storm drain. Sediment and erosion controls must be provided in this area. As discussed, a berm could be added or the pile could be vegetated to potentially alleviate this issue.
Spill response	
Does the facility have a spill response plan, and are spill kits readily available?	A spill kit was kept inside the facility but no formal spill response plan has been created.
Employee training	
What type of stormwater training does maintenance staff receive?	Employee training is conducted annually as described in the interview worksheet.

Notes or additional information:

Storm Water Pollution Prevention Plan (SWP3)

The City of Independence is required to develop a SWP3 for this facility. The SWP3 must contain a map indicating the location of potential pollutant sources, the control measures (best management practices) implemented to minimize or eliminate the discharge of pollutants, and the drainage systems and patterns. The City should show all catch basins, storm sewers and points of discharge for storm water from this facility and delineate drainage areas to each outfall. Refer to Part 5.1of the Ohio EPA General NPDES Permit for Industrial Activities #OHR000005 to determine other required content of the SWP3. This permit can be downloaded from our website at http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx. In developing the SWP3, the City must evaluate where all water is draining throughout the facility, including an assessment of non-storm water discharges. The goal is to certify that there are no illicit discharges from the facility to the MS4.

INSPECTION PHOTOS
Elmwood Park Maintenance Garage
City of Independence
Photos Taken: July 18, 2012

Fig. 1 & 2: Dumpster juice was on the pavement from when the truck empties out the dumpster. This liquid is thought to be from soda and other drinking bottles which have been placed in the trash at the parks and leaks out the corners of the dumpsters when moved. Also, some of the dirt from the pile for ball fields was trailing away from its storage area as well towards a storm drain in the corner. These materials may not be released to your MS4.

Fig. 3: A pile of dirt from various site cleanup activities was stored near a storm drain and next to a slope which had a creek at the bottom. Some of this pile was vegetated naturally, but sediment could be seen around the storm drain.

FIELD INSPECTION WORKSHEET
MS4 SWMP Evaluation
MS4 Maintenance Facility Field Inspection Worksheet

Permittee: City of Independence – Service Department	
Address of facility: 6350 Selig Drive	**Size of facility:** 10 acres
Date of visit: 7/18/12	**Time of visit:** 12:15pm
Provide the name(s) and title(s) of permittee staff present during inspection	
Name	**Title**
Laura Travers	***CCBH***
Dave Snyderburn	***Service Director***
Evaluator Observations:	
SWPPP or stormwater plan	
Has the maintenance facility developed a SWPPP or stormwater plan?	**YES**
Does the plan include a site map, list of pollutant sources, BMPs, and maintenance procedures?	No site map was included in the plan.
Does the permittee conduct and document periodic inspections of the facility?	**NO**
Are storm drains labeled and free of debris?	Some of the storm drains had some debris accumulation from lack of sediment control described below.
Vehicle maintenance, fueling and washing	
Are vehicle maintenance activities conducted in a designated place not exposed to stormwater?	**YES,** all maintenance is done in the garage where the drains are connected to an oil separator and then discharged to sanitary sewer.
Are fueling stations properly designed with spill kits nearby?	**YES**
Are vehicles washed on-site? Is wash water discharged to the MS4 or sanitary sewer?	**YES,** all vehicles are washed in the wash bay where the drain is connected to sanitary sewer.
Material storage	
Are all materials that are potential stormwater contaminants stored under cover or in secondary containment?	Materials piles around the site were a main area of concern and trailing of sediment into storm drains was apparent around the site. The catch basin cleaning and street sweeping spoils pile was not contained so that leachate would not be released away from the pile. See the notes section for further information regarding these topics.
Hazardous waste management	
Are all hazardous materials properly labeled and stored to prevent exposure to stormwater runoff?	Several empty drums which were not entirely closed and sealed were observed around the site. All drums which are stored outdoors must be closed and in good condition. Any open drums must be moved indoors or placed within secondary containment to prevent the accumulation of storm water inside and, consequently, the release of residual pollutants.
Waste management	
Are waste bins covered with waste properly disposed in containers?	A small trash can containing general trash and a dumpster containing larger trash collection items were uncovered at the time of inspection. These receptacles should be kept covered and all containers inspected to insure that no

	holes or gaps in the seals are present which would allow for the release of leachates.
How is landscape waste stored?	No landscape waste is stored on site. It is all taken to the composting facility.
Spill response	
Does the facility have a spill response plan, and are spill kits readily available?	**YES**
Employee training	
What type of stormwater training does maintenance staff receive?	Employee training is conducted annually as described in the interview worksheet.

Notes or additional information:

Sediment Controls

Gravel, grindings, asphalt, etc. were all stored in three walled bins past the parking lot of the Service Department. Signs of sediment trailing to the nearby storm drain were visible (See Fig. 8-10). Sediment controls must be added to this area to prevent the discharge of sediment laden runoff or leachate. Some suggestions made were that a berm be used to better contain these materials, cover be added over these piles, or inlet protection be added to keep sediment out of the storm drains.

Further, a drain outside of the fence near the large piles of excavated material had accumulated sediment from this area and a small dirt gully was forming leading from the piles to this drain. Measures must be taken to better contain the sediment laden runoff from this area and to prevent the formation of runoff gullies. It was suggested that a vegetated earthen berm be added along this side of the storage area similar to the one in the rear of the piles to better contain runoff from these piles.

Sediment must be removed from these drains and proper measures taken to prevent the release of sediment to the MS4.

Street Sweeping and Catch Basin Cleaning Spoils

The City currently stores street sweeping and catch basin cleaning spoils in a covered area which slopes outwards towards a paved area. Only a small amount of material is kept on site and Mr. Snyderburn says that very little liquid is ever held in this material. Although covered, there is no containment or drainage to sanitary in the covered area to prevent any water decanted from this material from leaking down the gentle slope of the pavement and out onto the pavement which allows for an unauthorized discharge of leachate to the City's MS4. The discharge of this leachate is a violation of Part III.B.6.d.iii.3 of the NPDES permit. Liquids which are decanted from catch basin cleanings and street sweepings, as well as storm water which contacts stockpiles of this material, is leachate, which is a wastewater and must be managed accordingly. *Containment must be added for the pile of street sweeping and catch basin cleaning spoils.* As discussed, a berm could be added to contain leachate if not much liquid ever comes off of this material, a drain to sanitary could be added to the building to catch any leachate and the cement re-graded to prevent the liquid from leaving the covered area, the pile could be moved indoors where drains are connected to sanitary, etc.

Salt Storage

Currently salt is stored in a covered dome on a gravel surface. It is strongly recommended that salt be stored on an impervious pad. There have been several recent cases of ground water and private well contamination caused by municipalities not storing salt on such a surface in places such as Springfield and Chardon, Ohio. We strongly recommend that a concrete pad be installed under the dome for salt storage purposes. Not only would this be better for preventing any ground water contamination, it would also help to lessen the trailing of salt out of the dome and make sweeping and cleanup of salt which has left the dome easier. In the meantime, it is recommended that loading of salt occur further in the dome to prevent the spilling of salt outside of the dome on the gravel. More description of the recommended salt storage standards can be found per the guidance provided at http://www.epa.ohio.gov/portals/35/storm/Interim_Salt_Storage_Guidance.pdf.

Storm Water Pollution Prevention Plan (SWP3)
The SWP3 created for the Service Department was reviewed and is in need of some improvements. The SWP3 must contain a map indicating the location of potential pollutant sources, the control measures (best management practices) implemented to minimize or eliminate the discharge of pollutants, and the drainage systems and patterns. The City should show all catch basins, storm sewers and points of discharge for storm water from this facility and delineate drainage areas to each outfall. Refer to Part 5.1of the Ohio EPA General NPDES Permit for Industrial Activities #OHR000005 to determine other required content of the SWP3. This permit can be downloaded from our website at http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx. In developing the SWP3, the City must evaluate where all water is draining throughout the facility, including an assessment of non-storm water discharges. The goal is to certify that there are no illicit discharges from the facility to the MS4. Further, The checklist included in the SWP3 must be completed at an inspection frequency set in the SWP3 and records retained with the plan. Please update and improve your SWP3 for the Service Department accordingly to address any issues discussed during the site inspection or on the Service Department Facility Inspection Worksheet attached.

INSPECTION PHOTOS
Service Department
City of Independence
Photos Taken: July 18, 2012

Fig. 1: Empty drums the City has accumulated, for use in various tasks, are stored outside of the maintenance garage. Some of these drums are open which can allow for the accumulation of water and the potential release of residual pollutants. All drums stored outside must be closed and in good condition.
Fig. 2: Staining was evident on the pavement in some areas. Such areas should be remediated immediately. Drip pans should be used under any leaky equipment or such equipment should be stored inside.

Fig. 3: The Fueling station was properly designed and well-kept with a spill kit nearby.
Fig. 4: A trash can near the fueling station was left uncovered. This receptacle should be kept covered.

Fig. 5 & 6: Catch basin cleanings and street sweepings are stored in this area where there is no drain, but the grading of the building slopes outward. Signs of sediment and this wastewater leaving the building across the pavement are evident. This is not an acceptable practice.

Fig. 7: A trash dumpster containing larger items was uncovered at the time of inspection.
Fig. 8: Materials such as gravel, dirt, and sand are stored in this area. Sediment was not contained to the bins and led to the storm drain at the end of the pavement.

Fig. 9 & 10: The storm drain which receives drainage from the materials storage area in Figure 8 had sediment accumulated in the basin. Sediment controls must be put in place to prevent this sediment from reaching the storm drain.

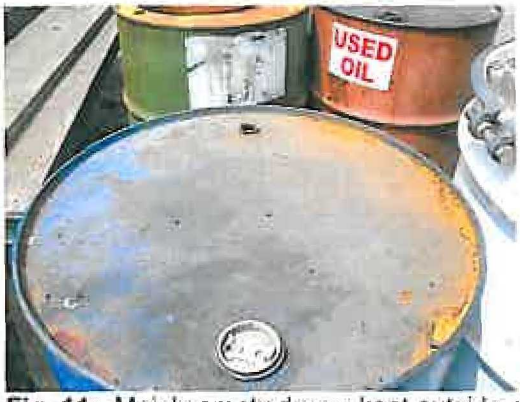

Fig. 11: Mainly empty drums kept outside of the materials storage building were not all closed. Drums which are stored outdoors must be closed and in good condition.
Fig. 12: A large amount of tires have accumulated on site. Tires should be kept inside or in a covered container if they must be kept onsite to prevent the breeding of mosquitos.

Fig. 13: The salt storage dome.
Fig. 14: A pile of excavated material which appears to have runoff which goes to the storm drain pictured below.

Fig. 15 & 16: This storm drain just outside of the fence around the large material pile storage area was accumulating sediment. A small gully had formed which had obviously carried dirt into the drain.

Fig. 17: Another storm drain outside of the fence appeared to have been seeded over. No inlet protection was present even though permanent stabilization has not yet been reached.

FIELD INSPECTION WORKSHEET
MS4 SWMP Evaluation
MS4 Maintenance Facility Field Inspection Worksheet

Permittee: City of Independence – Composting Facility	
Address of facility: 7423 Old Rockside Road	**Size of facility:** 2-3 acres
Date of visit: 7/18/12	**Time of visit:** 1:00pm
Provide the name(s) and title(s) of permittee staff present during inspection	
Name	**Title**
Laura Travers	***CCBH***
Dave Snyderburn	***Service Director***
Evaluator Observations:	
SWPPP or stormwater plan	
Has the maintenance facility developed a SWPPP or stormwater plan?	**NO**
Does the plan include a site map, list of pollutant sources, BMPs, and maintenance procedures?	No plan has been created.
Does the permittee conduct and document periodic inspections of the facility?	**NO**
Are storm drains labeled and free of debris?	No storm drains were observed on site.
Vehicle maintenance, fueling and washing	
Are vehicle maintenance activities conducted in a designated place not exposed to stormwater?	N/A
Are fueling stations properly designed with spill kits nearby?	N/A
Are vehicles washed on-site? Is wash water discharged to the MS4 or sanitary sewer?	N/A
Material storage	
Are all materials that are potential stormwater contaminants stored under cover or in secondary containment?	N/A
Hazardous waste management	
Are all hazardous materials properly labeled and stored to prevent exposure to stormwater runoff?	N/A
Waste management	
Are waste bins covered with waste properly disposed in containers?	No waste bins were observed on site.
How is landscape waste stored?	As compost.
Spill response	
Does the facility have a spill response plan, and are spill kits readily available?	N/A
Employee training	
What type of stormwater training does maintenance staff receive?	Employee training is conducted annually as described in the interview worksheet.

Notes or additional information:

Containment of Composting Leachate

Leachate, causing dark soils and staining, was coming off of the composting pile and draining down towards the southeast side of the property. The discharge of this leachate is a violation of Part III.B.6.d.iii.2 of the NPDES permit. Also, the pile of material is pushed up to the edge of the slope on the east side of the property which leads down to an industrial business facility. The terrain made it unable to tell whether or not any of this material has fallen down the slope or not. The compost area must have some form of containment added to keep leachate, runoff, and materials from the compost piles from being released. As discussed, a vegetated earthen berm could be added around the compost pile using extra excavated dirt at the Service Department in order to keep leachate and compost materials out of the MS4.

Storm Water Pollution Prevention Plan (SWP3)
The City of Independence is required to develop a SWP3 for this facility. The SWP3 must contain a map indicating the location of potential pollutant sources, the control measures (best management practices) implemented to minimize or eliminate the discharge of pollutants, and the drainage systems and patterns. The City should show all catch basins, storm sewers and points of discharge for storm water from this facility and delineate drainage areas to each outfall. Refer to Part 5.1of the Ohio EPA General NPDES Permit for Industrial Activities #OHR000005 to determine other required content of the SWP3. This permit can be downloaded from our website at http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx. In developing the SWP3, the City must evaluate where all water is draining throughout the facility, including an assessment of non-storm water discharges. The goal is to certify that there are no illicit discharges from the facility to the MS4.

INSPECTION PHOTOS
Composting Facility
City of Independence
Photos Taken: July 18, 2012

Fig. 1: Leachate was running out from the pile and trailing towards the front of the property.

Fig. 2: There was no containment for the pile of compost material and it was beginning to be pushed right up to the edge of the property, which slopes down to an area where businesses are.