



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

August 1, 2012

RE: LORAIN COUNTY
CITY OF SHEFFIELD LAKE
NOTIFICATION OF MUNICIPAL STORM
WATER PROGRAM INSPECTION

Len Smith
Service Director
City of Sheffield Lake
4750 Richelieu Ave
Sheffield Lake, OH 44054

Dear Mr.:

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 3745-39.

On July 30, 2012, Ohio EPA met with you, representing the City of Sheffield Lake, to determine compliance with the National Pollutant Discharge Elimination System (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 Service Department and Fire/Police Stations.** 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 4, 2011.

- **Failure to develop an employee training program on how to reduce the discharge of pollutants from municipal operations to the MS4.** This is a violation of Part III.B.6.e of the NPDES permit #OHQ000002 and ORC 6111.04 and 6111.07. The NPDES permit #OHQ000002 requires your training program to provide at least one training event per year. Although the City states Pat Hasting, Road Lead Man, has been to a few training events, no documentation of training events could be produced. Further, the City stated that such information has not been effectively relayed to staff at all levels. Thus, the City has not developed an employee training program for storm water pollution prevention as expected under the MS4 program. Training opportunities involving Ohio EPA can be found at www.epa.ohio.gov/ocapp/storm_water.aspx. Training events provided by Ohio EPA and the materials used at those events are archived at this site and can be used by MS4s to train their staff. US EPA has an archive of MS4-related training at www.epa.gov/npdes/training. Be sure to include storm water pollution prevention training in any new employee training program, where appropriate.
- **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. 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 the Service Department:
 - Failure to prevent the discharge of sediment and other material pollutants to the stormwater inlet in the gravel area west of the Water Department building and the drainage swale behind the general trash dumpster area.
 - Failure to direct all wastewater generated during vehicle and equipment washing operations to a sanitary sewer system or other wastewater treatment system, or otherwise preventing its discharge.
 - Failure to provide containment for the small stockpile of street sweepings and catch basin cleanings. Refer to the Maintenance Facility Field Inspection Worksheet for the Service Facility for more information.
 - Failure to provide containment for the used oil tank and drums stored outside exposed to the elements. The leakage that has already occurred must be cleaned up and the area remediated.
 - Failure to keep all dumpsters lidded and plugged to prevent the discharge of wastewater to the City's MS4.

Further, the City was noted for failure to prevent the discharge of wastewater from vehicle washing to the MS4 at the Fire and Police Station, as it was indicated that police cars and fire trucks are sometimes washed outdoors.

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 develop a map showing the discharge location of all the individual Home Sewage Treatment Systems (HSTs) discharging to the City's MS4.** This is a violation of Part III.B.3.c.ii of the Small MS4 NPDES Permit #OHQ000002 and ORC 6111.04 and 6111.07. The City needs to develop this map to include details on the type and size of conduits/ditches in your MS4 that will receive discharges from HSTs, as well as the water bodies receiving the discharges.
- **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 Sheffield Lake has three active projects permitted under the Ohio EPA General Storm Water NPDES Permit for Construction Activities but indicated during the interview that all three of these projects were completed and have reached final stabilization. Please submit an NOT for all of these completed projects (see attachments for the list of projects).
- **Failure to ensure adequate long-term operation and maintenance (O&M) of public/private stormwater management facilities.** This is a violation of Part III.B.5.d of the Ohio EPA General Storm Water NPDES permit and ORC 6111.04 and 6111.07. The City is required to have an inventory of all privately-owned post-construction BMPs installed since April 21, 2003 and public stormwater management facilities. The City must develop a program to ensure the long-term maintenance of these structures and structures, which are built in the future. Ohio EPA recommends that each facility be inspected at least once a year either by the City or the party responsible for long-term maintenance. We recommend the City develop checklists or adopt checklists as your standard for conducting these inspections. This will ensure that all facilities are inspected and that all BMPs are constructed and maintained according to the City's adopted standards. The City must establish standards for these maintenance tasks. Most communities reference standards contained in *Rainwater and Land Development* (ODNR, 2006) or the United States Environmental Protection Agency's Menu of BMPs rather than establish their own. Additional information can be found in the Center for Watershed Protection manual titled ***Managing Stormwater in Your Community: A Guide for Building an Effective Post-Construction Program***. This manual can be downloaded at http://www.cwp.org/index.php?option=com_docman&task=cat_view&gid=76&Itemid=118

Please refer to the Storm Water Program Evaluation for more information on developing an effective long-term maintenance program. A program to ensure long term maintenance of post-construction BMPs typically includes (a) maintaining an inventory of all public and those private post-construction BMPs installed since April 21, 2003, (b) maintaining a copy of the long-term maintenance plan for each BMP, (c) establishing a system to track maintenance activities by the responsible party, and (d) taking enforcement action if maintenance is not performed by the responsible party as required by the maintenance plan.

Deficiencies

- The City does not currently have one cohesive MS4 map. The City should develop a system to combine all the outfall maps and MS4 maps into a master map that will contain all the details required by the NPDES permit. To meet the mapping obligations of NPDES Permit #OHQ000002, the map must show catch basins and publicly-owned storm sewers, ditches and storm water management facilities (including publicly-owned post-construction BMPs) by January 2014. 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.
- The City has not developed checklists to inspect the Service Department or Fire and Police Stations. 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.
- 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's salt usage records are lacking and this information needs to be tracked more closely. The City needs to track salt used, not just salt purchased. Further, the City needs to track salt usage 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. Please refer to the *Municipal Storm Water Program Evaluation on deicer usage*.
- The City does not appear to track the total amount of street sweepings and catch basin cleanings removed from the MS4. Please be sure to track these amounts if you have not yet begun to do so, 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 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 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.

Annual Report Review

In addition to the items noted above, as a result of our MS4 program audit, Ohio EPA has reviewed the MS4 annual report submitted on March 9, 2012. Upon review, Ohio EPA has determined the annual report for reporting year 2011 is incomplete. Some of the information, which was not provided, was covered in the review of the MCM #6 audit above; however, the annual report also does not provide the following information:

- An updated 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>.
- An attachment that provides schedules for the elimination of illicit connections that have been identified but not yet eliminated. This issue was discussed during the inspection and it was determined that they have all been remediated by this time. In the report for 2012, please be sure to list each remaining incidence of known illicit connection for the year 2012, the address or other location indicator, a brief description of the situation and provide a schedule for its elimination.
- An attachment that identifies the construction sites within your jurisdiction that are subject to 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.
- No responsible parties were listed on the form. Please be sure to indicate the responsible parties for each section provided on the form for the 2012 Annual Report.

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 September 6, 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 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: Mayor Dennis Bring, City of Sheffield Lake
Mike Bramhall, Bramhall Engineering & Surveying Company, Inc

ec: Dan Bogoevski, Ohio EPA, DSW, NEDO