



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

February 6, 2013

Ms. Eileen Minamy
Administrative Assistant
City of Bellbrook
15 E. Franklin Street
Bellbrook, OH 45305

RE: Stormwater Program Evaluation, NPDES Permit 1GQ00019*BG

Dear Ms. Minamy:

On Wednesday, January 30, 2013, I met with you to evaluate the city of Bellbrook's stormwater management program. Dale Wilson and Mark Schlagheck also represented the City during this meeting. The evaluation consisted of discussions about the 6 "Minimum Control Measures" (MCMs) that provide the framework for municipal stormwater programs.

The intent of the evaluation was to assess program activities and effectiveness, and to discuss ways to improve the City's SWMP. The balance of this letter includes suggestions on how the City can revise its SWMP so that it is easier to read, and more accurately reflects activities Bellbrook currently conducts as required by its stormwater permit. Note that future stormwater program reviews will likely be true audits, and will look at each aspect of the City's program in greater detail.

Based on my review of Bellbrook's current Stormwater Management Plan (SWMP), the 2011 Annual Report, and our discussion, I offer the following observations and recommendations:

MCMs 1 & 2 – Public Education, Outreach, Involvement and Participation

Bellbrook appears to be doing a good job of providing information to its residents about stormwater related issues. Methods for informing residents have changed since the original SWMP was prepared, and the City needs to revise this portion of its plan to discuss them. Since 2003, the internet has become an important way for information to be made available to City residents, and you stated during the meeting that Bellbrook has already incorporated within its website stormwater specific information. The revised SWMP should speak to the City's internet presence in terms of how stormwater related information is presented, and that links to other websites have been provided from which relevant information may be obtained. The revised plan should also speak to the City's efforts to track the number of visitors to sections of its website that contain stormwater related information, and the issues involved with doing so.

The City should discuss in its revised SWMP how it expects to address education and outreach activities in the future, emphasizing its reliance on electronic media and continued periodic mailings of newsletters to residents. Other potential opportunities to educate, such as local festivals or through programs shown on cable access TV, can be discussed as well. Specific events and related details (such as numbers of participants), can be provided in the relevant year's annual report. If the City plans to collaborate on education and outreach activities with the Miami Conservancy District in the future, this should be stated in the revised SWMP as well.

Stormwater program annual reports should also include titles of relevant articles published in the City's newsletter, and citations for their sources. This applies to stormwater information sent out by other local agencies, such as Greene County's Soil and Water Conservation District, provided the information reaches residents of Bellbrook.

Regarding public involvement activities, the City cannot claim credit for seminars or festivals if City residents did not participate. For example, a November 2011 seminar in Clayton that focused on construction site stormwater management issues was geared toward developers and MS4 officials, as opposed to private citizens. Since the intent of MCMs 1 and 2 is public education and outreach seminars that are geared toward professionals in the field, while important, do not meet this intent. It's acceptable to list these types of activities under training for City staff, provided someone from the City attends, but the seminar would not count toward public involvement because the general public is not the group targeted.

MCM 3 – Illicit Discharge Detection and Elimination (IDDE)

Mapping Bellbrook's storm sewer map remains a work in progress, though outfalls have been identified and located. The revised SWMP should include a schedule for completing this work, explain which City department is responsible for updating this map, and how an interested citizen would go about viewing it. A small section of the map which shows how storm sewers and outfalls are labeled should be included in the revised SWMP.

We discussed the number of outfalls that are part of Bellbrook's storm sewer network as probably being inaccurate, due to misinterpreting the definition of "outfall" as it appears in the small MS4 general permit. This means the number of true outfalls the City will have to dry weather screen will be lower than initially reported. The revised outfall figure can be included in the rewritten SWMP.

The revised plan should also speak to the fact that all storm sewer inlets within Bellbrook have been marked with "Do Not Dump" placards. Because these placards fade or disappear altogether through time, the revised plan should discuss in general terms how inspections, maintenance and replacement of the markers will be handled.

Home Sewage Treatment Systems (HSTS) Bellbrook has no discharging home septic systems within its territory. The revised plan should speak to this fact, and also acknowledge the presence of on-lot home septic systems within the City limits. Bellbrook is not obligated to provide information about on-lot systems unless one should happen to fail so badly that its contents reach storm sewers or other conveyances maintained by the City.

IDDE Ordinance Chapter 1226.04 from Bellbrook's code of municipal ordinances is the legal mechanism the City would use, if needed, should illegal discharges into City storm sewers be discovered. The revised SWMP should state this, summarize the intent of the ordinance, and include it as an attachment or appendix. How the City takes and responds to illicit dumping complaints should also be discussed in the revised plan.

It's not clear from reading the ordinance how enforcement actions would be carried out. The revised plan should summarize the steps involved in pursuing enforcement in those rare instances when chronic dumping to Bellbrook's storm sewers is occurring.

Dry Weather Screening Despite the fact that illegal discharges have not occurred, to the City's knowledge, Bellbrook is still obligated to screen its storm sewer outfalls once each permit term. The narrative of the revised plan can speak to the fact that dumping is rare or non-existent, but it must also discuss the City's approach to screening its outfalls.

The revised SWMP should also discuss how the City would go about identifying unknown materials that are being discharged from its storm sewer network. Would City staff be able to do some basic chemical screening in the field, such as testing for pH or conductivity? Or would the City bring in a contractor to oversee sampling and analyses? It's obviously not possible to predict what sorts of situations might present themselves, but the SWMP only needs to speak to general approaches. Should an illegal discharge actually occur that the City is forced to address, details involved with the specific incident and its resolution can be included in the appropriate year's annual report.

MCM 4 – Construction Site Stormwater Runoff Control

Recent annual reports suggest that Bellbrook is actively inspecting construction sites to ensure adequate erosion and sediment controls are installed and maintained. But the original SWMP does not fully describe the review and approval process proposed projects routinely follow, from initial proposal to final approval. The revised SWMP needs to explain the City's construction program as it currently operates (or will operate in the future when new development picks up), emphasizing the attention paid to erosion and sediment control practices during both the planning phase and active phase of new developments (which disturb more than one acre of land). A summary of the ordinance(s) on which the City relies for its construction permit should also be included in the revised SWMP, with a copy of the ordinance included as an appendix to the plan.

The revised plan should include sample copies of the form(s) used to document construction site inspections. The revised SWMP should also elaborate on how enforcement proceedings might play out in the event a developer or contractor is chronically noncompliant with erosion and sediment control requirements included in Bellbrook's construction ordinance.

MCM 5 – Post-Construction Stormwater Management in New/Re-Development

The fundamental intent of this MCM is the requirement that newly developed sites (and some redeveloped properties) install features that are capable of treating a calculated amount of stormwater runoff (called the "water quality volume" or WQV) before the runoff is discharged

from the property. Furthermore, provisions for maintaining these features (so called "operations and maintenance" agreements) are supposed to be included in the City's construction/post-construction ordinance. The revised SWMP should discuss Bellbrook's approach, which is to turn over maintenance and upkeep of post-construction stormwater management features (mainly detention ponds) to landowners on whose property the features have been installed. The manner in which these agreements are made legally binding should be discussed as well.

The revised plan must also discuss how the City will consider various nontraditional stormwater management practices as a way of meeting post-construction requirements per the small MS4 general permit. The revised plan should also discuss the fact that Bellbrook is largely built out, and is not anticipating expanding its area through annexation any time soon. In practice this means the need to devote significant resources to developing a separate post-construction "program" for the City is not especially pressing.

MCM 6 – Pollution Prevention/Good Housekeeping for Municipal Operations

Recent annual reports suggest that Bellbrook is adequately training its staff in the basics of improved materials management practices. Future annual reports should include more information about the types of training provided, titles of videos shown or booklets distributed, and if the training is done in house or by outside contractors.

The City appears to have unnecessarily included some of its facilities in its good housekeeping program based on the advice of the consulting firm that assisted with development of its stormwater program. Attention given to these facilities is certainly not wrong, but for the purposes of stormwater management programs, fire houses and administrative facilities are not required to be inspected or have stormwater management plans developed. MS4s are currently obligated to develop stormwater pollution prevention plans for vehicle servicing facilities, composting operations, impoundment lots, waste transfer stations and bus terminals.

Future annual reports must include the amounts of fertilizers used by the City's application contractor, along with the estimated amounts of street sweepings collected. The revised plan must discuss how Bellbrook works with its contractors to ensure that minimal amounts of these materials are used, and how applications are done at appropriate times. The revised plan should also discuss in general terms how the City has reduced its use of various materials over time, and where it feels opportunities for further reductions can occur.

Conclusions

Overall, Bellbrook's stormwater management program appears to be adequate. As mentioned repeatedly, a revised SWMP is necessary because the original plan from 2003 is dated, and inaccurate in many ways. The revised plan should be written so that an interested citizen not versed in stormwater management issues could still have a decent understanding of Bellbrook's program. The revised plan should be prepared by the time the next small MS4 general permit is implemented in January 2014.

City of Bellbrook
Stormwater Program Evaluation, NPDES Permit 1GQ00019*BG
February 6, 2013
Page 5

If you have questions about anything in this letter, or about Ohio EPA's expectations for a revised stormwater management plan, I can be reached at (937) 285-6442 or via email at chris.cotton@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cotton". The signature is fluid and cursive, with the first name "Chris" and last name "Cotton" clearly distinguishable.

Chris Cotton
Environmental Specialist 2
Division of Surface Water

CC/tb

cc: OEPA/SWDO/DSW Files

ec: Anthony Robinson, OEPA/DSW/CO

