



**Environmental
Protection Agency**

John Kasich Governor
Mike DeWine Lt. Governor
Loretta White Director

September 4, 2012

Kristin Yoriko, P.E.
City of Dublin
5800 Shier Rings Road
Dublin, Ohio 43016

**Re: NOTICE OF VIOLATION
The City of Dublin
Municipal Storm Water
Annual Report Review – 2011
Facility Permit No: 4GQ0002*BG**

Dear Ms. Yoriko:

On April 2, 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 (MCMs). Guidance on developing a table of organization can be found on our website at <http://www.epa.ohio.gov/Default.aspx?tabid=2697>. The Table included in your report provides a much broader look at the organization of the city government than necessary and does not provide the detail needed in the area of storm water management.
- The Table of Organization does not identify how implementation of your MS4 program occurs across multiple positions, agencies and departments. Please specify the lines of communication between the parties involved in implementation of your MS4 program.
- As noted in your report, The City of Dublin uses the Franklin Soil and Water Service and Dublin Arts Council to conduct all or part of the MCM program. The Memorandum of Understanding (MOU) outlining the responsibilities between Dublin and each of these third parties has not been provided. Please submit a current, signed copy of these MOUs or contracts.
- An attachment that provides schedules for the elimination of illicit connections that have been identified but not yet eliminated. Please list each remaining incidence of known illicit connection, 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 storm water pollution prevention plan (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.

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

- **Employee Training on Pollution Prevention & Good Housekeeping Practices** – The City of Dublin has indicated that there was no 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.

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:

- **SWP3 Plan Review and Site Inspection** – During the reporting period, Ohio EPA issued NPDES permit coverage to the following construction sites within your community:

Permit Number	Facility Name	Issue Date
4GC03437*A G	AMBERLEIGH COMMUNITY PARK	1/20/2011
4GC03445*A G	SPORTS, MEDICAL & ORTHOPEDIC BUILDING	1/26/2011
4GC03448*A G	AVONDALE SENIOR VILLAGE	1/26/2011
4GC03475*A G	BJS RESTAURANT & BREWHOUSE	2/28/2011
4GC03509*A G	PERIMETER DRIVE/COMMERCE PARKWAY ROUNDAABOUT	4/15/2011
4GC03517*A G	TARTAN RIDGE, SECTION 2, PART 1	4/28/2011
4GC03578*A G	DUBLIN SPRINGS HOSPITAL	6/24/2011
4GC03608*A G	TARTAN RIDGE SECTION 2, PART 2 & 3	8/5/2011
4GC03626*A G	DUBLIN CLOSE TO HOME & MEDICAL OFFICE BLDG	8/23/2011
4GC03658*A G	DUBLIN & GLICK 12" WM, BALLANTRAE 9-8" WM, EMERALD	9/28/2011
4GC03662*A G	TANSKY TOYOTA	10/3/2011
4GC03701*A G	COIC SANITARY SEWER EXTENSION PHASE 2	11/18/2011

The Ohio EPA NPDES list contains construction activities not found on your community's list of construction activities subject to SWP3 review and site inspection. This may indicate that you are not performing plan review and site inspection as required by your municipal storm water permit. For each instance where a site appears on the Ohio EPA NPDES permit list, but the site does not appear on your list, please provide an explanation as to why your community did not conduct a SWP3 review or site inspection.

- **Post-Construction BMP Verification** – During the reporting period, Ohio EPA received Notices of Termination for the following construction sites within your community:

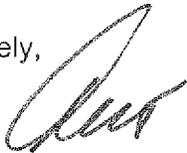
Permit Number	Facility Name	Issue Date
4GC03207*AG	COIC SANITARY SEWER EXTENSION PHASE 1	8/31/2011
4GC03460*AG	KROGER FUEL CENTER N-817	10/14/2011

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.

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 14 days from the receipt of this letter.

If you have any questions, please contact me at 614-728-3844 or Harry.Kallipolitis@epa.state.oh.us.

Sincerely,



Harry Kallipolitis
Storm Water Coordinator
Division of Surface Water
Central District Office

c: Marsha Grigsby, City Manager

ec: Jason Fyffe, DSW, CO