40 years and [illegible] moving forward
John R. Kasich, Gov[illegible]
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 21, 2013

Bryan Shonkwiler
Road Superintendent
Perry Township
7125 Sawmill Road
Columbus, Ohio 43235

Re: MS4 Evaluation

Dear Mr. Shonkwiler:

This letter is written in follow up to my MS4 (municipal separate storm sewer system) evaluation of your program on March 22, 2011. In addition this letter reflects our site inspection of your municipal operation February 20, 2012. Please note an overall evaluation of Franklin County Program was conducted on January 24 and 25, 2011. Please understand as a co-permittee it is your responsibility to be aware of the deficiencies noted in the attached audit report dated April 12, 2011. A response letter to the audit from Franklin County is also included. **During my evaluation of your program I noted the following:**

Public Education and Outreach (Minimum Control Measure #1):

Performance Standards: Your storm water public education and outreach program shall include more than one mechanism and target at least five different storm water themes or messages over the permit term. At a minimum, at least one theme or message shall be targeted to the development community. Your storm water public education and outreach program shall reach at least 50 percent of your population over the permit term. Your annual report shall identify each mechanism used, including each storm water theme, audience targeted and estimate of how many people were reached by each mechanism.

Education Items implemented by Perry Township County:

- Perry Township distributes newsletters regarding storm water quality issues.
- Perry Township has developed brochures for the development community.
- Perry Township has developed hand-outs for Township Hall.

- Perry Township conducts an annual open house where educational material related to storm water quality is distributed.

Improvement Opportunities:

- I realize Perry Township relies on Franklin County to administer the majority of the Public Education and Outreach Program. ***Please refer to the attached Audit Evaluation of Franklin County for comments on this sector***. As I discussed in our meeting, Perry Township is responsible to ensure and document the Public Education and Outreach efforts conducted within the Township. I strongly recommend a log is maintained which clearly documents all Public Education and Outreach activities. The log must include the title of the activity and demonstrate how it was administered within the Township to ensure the minimum performance standards are addressed. The log is vital in the preparation of the annual report and necessary to appropriately document compliance with this minimum control measures

- The township should expand on the current website with respect to storm water pollution. A storm water website should be available and easily accessible through the homepage. The comprehensive storm water website should include all information with respect to the implementation of the six minimum control measures, and include notifications with respect to upcoming development. Simple links to current information hosted by Franklin County is acceptable.

Public Involvement/Participation (Minimum Control Measure #2)

Performance Standards: Your storm water public involvement/participation program shall include, at a minimum, five public involvement activities over the permit term. Your annual report shall identify each public involvement/participation activity conducted, including a brief description of activity and include an estimate of how many people participated.

Public Participation items implemented by Perry Township:

- Perry Township participates in stream stenciling.

Improvement Opportunities:

- I realize Perry Township relies on Franklin County to administer the majority of the Public Involvement Program. ***Please refer to the attached Audit Evaluation of Franklin County for comments on this sector***. As I discussed in our meeting, Perry Township is responsible to ensure and document the Public Involvement activities conducted within the Township. I strongly recommend a log is maintained which clearly documents all Public Involvement activities. The log must include the title of the activity, number of participants

and demonstrate how it was administered within the Township it ensure the minimum performance standards are addressed. The log is vital in the preparation of the annual report. Again, improved reporting was noted on the 2011 Annual Report.

- The township should include in a comprehensive storm water web page: a posting of all proposed developments and redevelopments within the Township. The posting should include an attached Storm Water Pollution Prevention Plan in order to solicit comments from the public and various watershed groups and other interested parties to address improvement opportunities. ***In addition, the website should include a mechanism to enter storm water related complaints which must be tracked for purposes of annual reporting.***

- It is Ohio EPA's intent to involve the public to the maximum extent practical with respect to development and redevelopments within the Township. In addition to the proposed website upgrade listed above, the township may also elect to a specific review of a Storm Water Management Plans concurrent with the zoning and/or public notice meetings, including the presentations to council in order to solicit comments.

Illicit Discharge Detection and Elimination (Minimum Control Measure #3):

Performance Standards per Second Generation Permit. Your storm water illicit discharge detection and elimination program shall include or have included an initial dry-weather screening of all your storm water outfalls over the permit term. Your program shall establish priorities and specific goals for long-term system-wide surveillance of your MS4, as well as for specific investigations of outfalls and their tributary area where previous surveillance demonstrates a high likelihood of illicit discharges. Data collected each year shall be evaluated and priorities and goals shall be revised annually based on this evaluation. Your comprehensive storm sewer system map shall be updated annually as needed.

Annual Reporting. Your annual report shall document the following: (1) number of outfalls dry-weather screened, (2)number of dry-weather flows identified, (3) number of illicit discharges identified, (4)number of illicit discharges eliminated, (5) provide schedules for elimination of illicit connections that have been identified but have yet to be eliminated and (6) summary of any storm sewer system mapping updates.

The following should be completed as required in First Generation Permit:

- Ordinance or a regulatory mechanism is in place as a result of the First Generation Permit Condition.

- Outfall map should be completed based on first generation permit conditions (ie, streams ditches and outfalls)
- Inventory or map depicting location of HSTS discharging to MS4 (including contact information).
- Protocols for detection and prioritization for elimination should be established.
- The General Permit states illicit discharge protocols shall include dry-weather screening.

I understand this issue is tasked to Franklin County Engineers along with Franklin County Soil and Water Conservation District. Please refer to my comments in the attached Franklin County Audit Report along with the formal response submitted by Franklin County. It is my intent to revisit these issues concurrent with this permit term. However, I strongly encourage Perry Township becomes more involved to the extent of implementation of this minimum control measure within the Township boundaries.

Construction Activities (Minimum Control Measure #4)

Performance Standards per Second Generation Permit. Your construction site storm water control program shall include pre-construction storm water pollution prevention plan review of all projects for construction activities that result in a land disturbance greater than or equal to one acre. To ensure compliance, these applicable sites shall be initially inspected. The frequency of follow-up inspections shall be on a monthly basis unless you document your procedures for prioritizing inspections such as location to a waterway, amount of disturbed area, compliance of site, etc. If you initially had coverage under a previous version of this permit you shall revise your program to satisfy these performance standards, if needed, within two years of when your coverage under this general permit was granted.

Annual Reporting: Your annual report shall document the following for your jurisdiction: (1) number of applicable sites, (2) number of pre-construction storm water pollution prevention plan reviews performed, (3)number and frequency of site inspections, (4)number of violation letters issued, (5)number of enforcement actions taken and (6)number of complaints received and number followed up on.

Construction items implemented by Franklin County adopted by Perry Township:

- The county has developed zoning regulations adopted for Perry Township.
- The county has developed subdivision regulations for all townships identified as co-permittees under this MS4 Permit.
- The zoning and subdivision regulations are administered by Franklin County, Economic Planning and Development Department.

- The zoning and subdivision regulations require the review of the Storm Water Pollution Prevention Plans (SWPPP). The SWPPP review is contracted to Franklin County Soil and Water Conservation District (FCSWCD).

- Franklin County Soil and Water Conservation District (FCSWCD) must approve all SWPPP's prior to zoning approval.

- FCSWCD reviews SWPPP's to ensure compliance with the applicable Ohio EPA General Storm Water Permit. FCSWCD utilizes the review document by Ohio EPA found at: http://www.epa.ohio.gov/dsw/storm/const_SWP3_check.aspx.

Post Construction (Minimum Control Measures # 5)

Performance Standard per Second Generation Permit:

Your post-construction Storm Water Management Plan (SWMP) shall include pre - construction storm water pollution prevention plan review of all projects from construction activities that result in a land disturbance of greater than or equal to one acre to ensure the mandated controls are designed per the minimum requirements. These applicable sites shall be inspected to ensure that controls are installed per requirements. Your program shall also ensure that long-term operation and maintenance (O&M) plans are developed and agreements in place for all applicable sites. If you initially had coverage under a previous version of this permit you shall revise your program to satisfy these performance standards, if needed, within two years of when your coverage under this general permit was granted.

Annual Reporting: Your annual reports shall document the following: (1)number of applicable sites in your jurisdiction requiring post-construction controls, (2)number of pre-construction storm water pollution prevention plan reviews performed, (3)number of inspections performed to ensure as built per requirements, and (4)number of long-term operation and maintenance (O&M) plans developed and inspected.

Perry Township Post Construction Activities:

- The county has developed legal authority to ensure the designs of all post construction storm water controls meet or exceed the requirements of the applicable Ohio EPA General Storm Water Construction Permit.

- To date I am unaware of an approved program to inspect and ensure long term maintenance of post construction storm water controls. ***Please advise.***

- To date I am unaware of any maps depicting the locations of all post construction storm water controls. ***Please advise.***

Post Construction Implementation by Franklin County:

- The county does require the review of post construction practices in accordance with the applicable Ohio EPA Construction Permit for Perry Township.

- The review of all Perry Township post construction practices is conducted by Franklin County Soil and Water Conservation District (FCSWCD). FCSWCD must approve all post construction practices prior to zoning issuance.

- Franklin County has commenced the implementation of the ditch petition process to address long term maintenance of post construction Best Management Practices (BMP's). ***Please provide any update with respect to this process and how it applies to Perry Township.***

Improvement Opportunities and updates to ensure compliance with the second Generation MS4 Permit:

- Perry Township must develop an inventory of all post construction storm water best management practices which discharge into the MS4 within the urbanized area.

- The locations of all post construction BMP's should be mapped in order to ensure appropriate inspection, long term maintenance, and operation.

  Perry Township must develop mechanisms to ensure long term maintenance and operations of all post construction practices implemented which discharge into the MS4 within the urbanized area.

- At a minimum, a standalone maintenance agreement or equivalent must be developed and inclusive in the review process associated with new development and redevelopment projects within Perry Township.

- At a minimum, annual inspections must be conducted of all post construction best management practices to ensure their intended function in perpetuity.

- Perry Township must develop enforcement protocols to ensure long term maintenance of all public and privately owned post construction BMP's which discharge to the MS4.

- A recommended maintenance agreement can be found at the following address: http://crwp.org/pdf_files/model_im_agree_sw_bmp_10_29_2008.pdf.

Prevention/Good Housekeeping for Municipal Operations (Minimum Control Measure #6)

Performance Standards per Second Generation Permit: Your pollution prevention/good housekeeping program shall include, at a minimum, annual employee training. Your operation and maintenance program shall include appropriate procedures, controls, maintenance schedules and recordkeeping to address Part III.B.6.d.iii of the MS4 Permit. Most maintenance facilities will require the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Please refer to the following link to determine if a facility requires a SWPPP: http://www.epa.ohio.gov/portals/35/permits/MS4_industrial_guidance_jun09.pdf. A SWPPP is required for Perry Township.

Annual Reporting: Your annual reports shall document the following: (1) summary of employee training program(s) implemented with number of employees that attended and (2) summary of activities and procedures implemented for your operation and maintenance program.

Educational Materials: Please refer to the following link for educational materials to assist you with your training obligations: http://epa.ohio.gov/Default.aspx?tabid=5239

Permit Violations:

- No direct violations were noted concurrent with this audit.

Observations at Maintenance Facility (7125 Sawmill Road).

- Please indicate in response if interior drains are routed to a publically owned treatment works (POTW).

- All vehicle washing must be conducted in such a manner where wash water is properly disposed. Please address this issue in your response letter. It was my understanding based initial conversation; all vehicle washing is conducted off-site.

- Salt storage is managed under roof with no evidence of poor housekeeping practices. Please ensure daily housekeeping con-current with all loading and un-loading. Improvement opportunity would include a doors or covers for the open storage units.

- Street sweeping is sub contracted. Please verify the final disposal of street sweeping waste is an approved sanitary landfill.

- Fueling is conducted on site. Fuel is stored in a underground. Improvements would include a fueling pad with secondary containment and/or roof.

If you have any questions regarding this letter or the inspection, please do not hesitate to call me at our Central District Office at (614) 728-3844 or email at harry.kallipolitis@epa.state.oh.us. In addition, please provide a written response ***(email preferred)*** to the action items addressed above within 21 days from receipt of this letter.

Sincerely,

Harry Kallipolitis
Storm Water Coordinator
Ohio EPA, Division of Surface Water
Central District Office

c. James Ramsey, Franklin County

HK/nsm Perry Twp Audit Report 2012