



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

February 26, 2013

Mr. Phil Stegman
Service Director
Village of St. Bernard
110 Washington Avenue
St. Bernard, OH 45217

RE: Stormwater Program Evaluation, NPDES Permit 1GQ00071*BG

Dear Mr. Stegman:

On Thursday, February 7, 2013, I met with you and Mike Wiedemann to evaluate the village of St. Bernard's stormwater management program. Jennifer Vatter from JMA Consultants also represented the Village 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 this cursory review was to assess program activities and effectiveness, and to discuss ways to improve the Village's Stormwater Management Plan (SWMP). The balance of this letter includes suggestions for how the Village can revise its SWMP so that it is comprehensive, easy to read, and accurate. Note that future stormwater program reviews are likely to be true audits, and will look at each component of the program in greater detail.

Because most of St. Bernard is currently served by a system of combined storm and sanitary sewers, the requirements imposed by the small MS4 general permit may be seen as not applicable. The Village is not actively seeking to get a waiver from permitting requirements, but it could choose to do so in the future if: 1) the area not served by combined sewers has a population of fewer than 1000 persons, and 2) if the receiving waterway to which the drainage is discharged is not impaired by urban runoff.

Based on my review of St. Bernard's stormwater management plan, its 2011 Stormwater Program Annual Report, and our discussion, I offer the following observations and recommendations:

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

St. Bernard's SWMP should elaborate on its use of the internet as a way to inform Village residents about stormwater management issues. While devoting an entire

website to stormwater issues is probably a bit extreme, the Village's current approach of devoting a portion of its website to stormwater management issues is appropriate. The revised plan should include directions for reaching the relevant part of the Village's website, and should also list links to other websites (U.S. EPA, OEPA, etc.) from which additional stormwater management information can be obtained.

The Village intends to annually distribute to its residents and schoolkids brochures of stormwater information. In subsequent years' annual reports, titles of specific articles included in these brochures should be mentioned, along with the source of the information. Numbers of brochures distributed should be included in annual reports. If these brochures, or other sorts of printed stormwater information are to be archived electronically, the revised plan should state this and explain how the information can be accessed.

Concerning public involvement activities, St. Bernard's revised SWMP should not speak to particular events it hopes to organize, but rather should mention more broadly the kinds of involvement activities it thinks can be organized to meet this permit requirement. Subsequent stormwater program annual reports can then list the specific events that were held. Activities should be in some way linked to stormwater issues. It's not clear how "Community Clean-Up Day" and "Dump Truck Recycling Day," which are included in the current draft SWMP, tie in with stormwater management issues. Discuss how such activities meet the permit's requirements in the appropriate years' annual report.

The revised SWMP should discuss methods by which the Village will attempt to determine the effectiveness of its stormwater education program.

MCM 3 – Illicit Discharge Detection and Elimination (IDDE)

The revised plan should state that most of the village of St. Bernard is served by a combined storm and sanitary sewer system. These lines are destined to be separated in the future, at which time the requirements of control measure 3 will be more applicable. The intent of this discussion is to inform readers of the plan that while the Village is maintaining a stormwater program, in fact many of its requirements do not apply so long as the combined sewers remain in place.

Mapping – The revised SWMP should explain that St. Bernard's storm sewer system has been mapped, but efforts to digitize the information are ongoing. A general schedule for completing this work should be provided, as should basic information such as where the maps are housed, and how future updates to the map will be handled. The map should clearly identify sections of the Village that are currently served by combined storm/sanitary sewers.

Home Sewage Treatment Systems (HSTS) – St. Bernard has no discharging home septic systems within its border. The revised plan should state this fact.

IDDE Ordinance - St. Bernard is relying on regulations developed by the Hamilton County Stormwater District to address situations in which illicit discharges to Village storm sewers are discovered. The revised plan should summarize this relationship with the County, then reference and briefly describe the specific section(s) of the code which: 1) Ban discharges of inappropriate materials to the storm sewers, 2) Authorize applicable Village staff to investigate suspected sources of illegal dumping, and 3) Discuss provisions for enforcement and subsequent penalties in those rare instances when the approach is necessary.

A copy of the entire ordinance can be included as an appendix to the revised plan, or it can be archived online with instructions for accessing it via the Village's internet web site.

The revised plan must also speak to the ways in which complaints lodged about stormwater management issues are handled by the Village.

Dry Weather Screening - As a co-permittee MS4, St. Bernard historically deferred to Hamilton County's Stormwater District to perform dry weather screening of the Village's storm sewer outfalls. Specific information pertaining to outfall screening has been included in the County's stormwater program annual report. Now that the Village is administering its own stormwater program, it will have to conduct screening of its storm sewer outfalls and report any findings accordingly.

The small MS4 general permit requires all storm sewer outfalls be screened at least once during its 5 year term. St. Bernard's revised SWMP must describe how the Village will go about meeting this requirement. The revised plan should also discuss how the Village would go about identifying unknown materials that are being discharged from its storm sewer network. Would Village staff be able to do some basic chemical screening in the field, such as testing for pH or conductivity? Or would the Village hire 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 Village is forced to address, details of the specific incident and its ultimate resolution can be included in the appropriate annual report.

In the future, problems observed from potential illicit discharges such as the discolored water noted on page 7 of the current SWMP, should be discussed in the appropriate year's annual report.

MCMs 4 – Construction Site Stormwater Runoff Control

The revised SWMP should explain that St. Bernard is geographically very small, and mostly built out. The intent is to provide some perspective of the fact that potential

impacts to area creeks from construction activities (and potential sediment control issues) are minimal.

As with its illicit discharge ordinance, St. Bernard is using the Hamilton County Stormwater District's regulations as they pertain to erosion and sediment control requirements imposed on regulated construction sites. The Village's revised SWMP must explain this, then describe in general terms the review process that construction projects will follow from initial review to final approval. The revised plan can reference key sections of the ordinance where it makes sense to do so, and include the entire ordinance as an attachment or appendix to the plan.

The revised SWMP should also include sample copies of the form(s) used to document construction site inspections. The revised SWMP should discuss how enforcement proceedings would play out in the event a developer or contractor is chronically non-compliant with the construction ordinance's erosion and sediment control requirements.

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

The same approach can be taken for revising this section of the SWMP as outlined above for MCM 4. Explain that the Village has adopted the Hamilton County Stormwater District's rules and regulations, then summarize how new construction projects will be reviewed to ensure that appropriate post-construction practices will be installed at applicable sites. Also, summarize how the ordinance addresses maintenance issues that will pertain to said post-construction practices, and the legal mechanism that holds property owners accountable for ensuring that features installed to improve water quality will be kept in working order.

The revised plan must also discuss how the Village will consider various non-traditional stormwater management practices as a way of meeting post-construction requirements per the small MS4 general permit. The revised plan should reiterate the fact that St. Bernard is largely built out, and that opportunities to install post-construction practices will be limited in the future.

MCM 6 – Pollution Prevention/Good Housekeeping for Municipal Operations

St. Bernard's revised SWMP should elaborate on the kinds of training staff will be given that furthers awareness of stormwater management issues in the context of materials and/or waste management. Specific training events that have a stormwater component can be listed in subsequent annual reports.

The revised plan should also explain how the Village ensures that its use of various materials, such as road deicing salts and (if applicable) fertilizers, herbicides, and pesticides are minimized, either due to cost issues or because of improved application practices. If Village staff are trained and certified as applicators, this should be mentioned. If the work is contracted out, this should be mentioned as well. Amounts of

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each of these materials used in any given year can be reported in the stormwater program annual report. The revised plan should also discuss in general terms how the Village has reduced its use of various materials over time, and where it feels opportunities for further reductions can occur.

The Village should also include in its revised SWMP a discussion of how it manages, and ultimately disposes of material collected from street sweeping. Amounts collected must be reported.

Conclusions

From my cursory review and our discussions, it appears St. Bernard is addressing most of the requirements imposed by its small MS4 general permit. What's missing, because of the Village's previous status as a co-permittee with Hamilton County, is a complete plan that accurately spells out how the Village will address requirements previously handled by the County. The Village should work towards updating its plan based on the suggestions put forth in this letter, with the goal of having the rewritten plan in place by the time the next small MS4 permit is implemented in early 2014.

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,



Chris Cotton
Environmental Specialist 2
Division of Surface Water

CC/tb

cc: OEPA/SWDO/DSW Files

ec: Anthony Robinson, OEPA/DSW/CO

