



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

July 8, 2013

Ms. Carolyn Smiley-Robertson
Municipal Manager
Village of Woodlawn
10141 Woodlawn Blvd
Woodlawn, OH 45215

RE: Storm Water Program Evaluation, NPDES permit # 1GQ00073*AG

Dear Ms. Smiley-Robertson:

In January and February, 2013, I sent letters to the village of Woodlawn requesting to meet to evaluate its storm water management program. Because there was no response to either letter, I decided to evaluate the program based solely on reviewing the recently (February 2013) revised storm water management plan (SWMP), and the program's annual report from 2012.

The remainder of this letter speaks to issues with the Village's storm water program that need to be addressed, primarily through edits to its website, and additional revisions to its SWMP.

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

1. Information provided over the Village's website speaks to "storm water waste management", as opposed to "storm water runoff management". Storm water is not considered waste, and the title of this part of the Village's website would be clearer and more accurate if it simply stated "Storm Water Runoff Management".
2. Not all storm water runoff collects pollutants, but in urban areas the chances are greater due to the presence of roads and cars and lawns and so on. The first sentence of the section should be rewritten accordingly.
3. It would help a citizen interested in knowing about relevant storm water regulations if "code 40 CFR 123.25" was written as "Chapter 40 of the Code of Federal Regulations, Section 123.25". Those inexperienced with reading federal regulations may still need help finding this rule, but providing the correct citation will allow someone to know exactly what it is they're looking for. This particular section empowers U.S. EPA, and Ohio EPA, to require various regulated municipalities to develop and implement storm water management plans, etc.

4. The SWMP from February 2013 discusses Woodlawn's internet website, and the Village's intent to create a storm water subject link to provide access to various sorts of relevant information. The SWMP should be revised to include directions for locating this information. If storm water related information is moved to different parts of the website in the future, the SWMP can be updated accordingly.
5. The 3rd paragraph of this section states that passage of Ordinance 12-2010 in 2010 provides Woodlawn "...with the authority to control the quality of storm water discharge to its storm sewer system." The regulations also require MS4s to address the quality of discharges from their respective storm sewer systems into adjacent waters of the state. Through assorted education and outreach campaigns, the Village will attempt to inform residents and businesses about ways in which they can more safely manage wastes and other materials to minimize impact on storm water that, first, enters the Village's system, before eventually being discharged from it. Language should be modified accordingly.
6. The SWMP should explain in more detail the nature of Woodlawn's collaboration with the Mill Creek Valley Conservancy District in terms of storm water management issues. If this is expected to be a long term collaboration, the revised SWMP should speak to the kinds of storm water issues MCVCD can reasonably be expected to collaborate on with Woodlawn.
7. The SWMP should discuss the general approach Woodlawn plans to take each year to determine the effectiveness of its storm water education program, as stated on page 4 of the current SWMP.
8. The 4th paragraph of storm water information (found in the "Departments" section of the Village's website) states that adherence to the 6 MCMs that comprise storm water management programs is "...expected to result in reductions in the adverse effects of storm water discharged by the Village of Woodlawn." Because no baseline water quality information is available to allow for such reductions to be confirmed, "expected" should be changed to "intended".
9. The website references a storm water hotline, but the current SWMP does not provide the hotline number. As mentioned in previous comments on the plan, a hotline dedicated solely to storm water management issues is not likely to be worth the effort and expense needed to create and maintain it. The revised plan should mention the general phone number village residents can call if they have a question or complaint about a storm water management issue. If a hotline

number is going to be used, it must be included in the revised plan.

10. How is it that only 25% of the Village's population (of both residents and business owners) is targeted for the various outreach efforts listed in the 2012 annual report? How is the Village able to determine when this figure has been reached? Woodlawn should consider the potential to reach 100% of its residents with relevant storm water information by including short articles in the newsletter sent to every home in the Village.

MCM 3 – Illicit Discharge Detection and Elimination

1. It's not clear in the current SWMP if Woodlawn understands that only discharging home sewage treatment systems (HSTSSs) connected (draining) to the Village's storm sewer network are required to be mapped. A list of such discharging systems is also required to be submitted to Ohio EPA. If such a list has been developed, it must be submitted to Ohio EPA as soon as practicable.

Through time, as homes served by discharging systems are connected to sanitary sewers, this list can be revised accordingly.

2. A map of storm sewer outfalls from Woodlawn's MS4 should have been prepared by 2008; it's not clear if this has been completed, though on pages 7 and 8 of the current SWMP it states that "An outfall inventory with dry weather screening within the Village....was conducted by the HCSWD in the first permit term...."

When the entire storm sewer network has been mapped, which the plan states will happen in 2013 when a contractor is hired, the appropriate section of the SWMP must be revised accordingly. Information about where maps are kept and who's responsible for future updates should be included, as was done in the current SWMP.

3. It's not clear if the listing of department phone numbers available on Woodlawn's current website contains the "important phone numbers" alluded to on page 9 of the current SWMP. If a resident was to have a storm water management issue, it's not clear, based on the information currently available, which department should be contacted.
4. It seems unlikely that Woodlawn's adoption of an illicit discharge ordinance "...has already minimized the potential for illicit discharges to the storm water system..." Because the vast majority of the Village's residents probably have no idea this ordinance even exists, it's not clear how it could be an effective deterrent. If the Village has evidence or information that supports the statement, it should be included in the SWMP.

5. Likewise, language borrowed from the small MS4 permit that speaks to the need to “establish priorities and specific goals for long term system wide surveillance of its MS4,” is not practical, given the fact that so few discharges have been observed in recent years from screening work done by Hamilton County. The revised plan should simply state that Woodlawn will commit to screening its storm sewer outfalls at least once during the 5 year term of the small MS4 general permit term, and will do whatever follow up is appropriate, and report details in subsequent storm water program annual reports.
6. This section of the SWMP should be rewritten to state that the intent of the ordinance is to empower village officials to pursue sources of illicit discharges, and to levy fines or penalties in situations where such actions are needed. On page 7 of the current plan, 1st paragraph, it states that “...these illicit discharge regulations give authority to an ‘Enforcing Official’ to undertake inspection and monitoring of discharges and connections....” Such authority is necessary, but it does nothing to address sources of illicit discharges, aside from improper cross connections of sanitary sewer and storm sewer lines.
7. On page 7 of the current SWMP, 2nd paragraph, it states that “The Village has initiated an education program to increase public awareness of the storm water system and illicit discharge control”. The point of MCM 3 is to detect and eliminate illicit discharges to village storm sewers. The highlighted sentence must be changed accordingly.
8. Does any part of Woodlawn drain to combined sewers? If so, this should be explained in the re-vised plan.
9. Does Woodlawn plan to mark storm sewer inlets with some sort of “Do not Dump” message? This is not a specific requirement of the small MS4 general permit, but most MS4s have undertaken the task because it is a relatively cheap and very elegant way of informing residents that storm sewers drain to streams or creeks. Many MS4s have orchestrated storm sewer marking events into public involvement opportunities.
10. Information from Woodlawn's 2012 annual report suggests that possible illicit discharges observed from outfall screening (done by Hamilton County from 2006 to 2010) require further investigation. The current SWMP contains no information about the process Woodlawn will follow to ultimately determine the nature of the material being discharged from its storm sewers. Nor does the plan discuss how Woodlawn plans to go about screening outfalls, now that the Village

is no longer part of the Hamilton County Storm water District. The revised SWMP must clarify how Woodlawn will go about screening its storm sewer outfalls in the future, and outline its plan of attack in the event something other than water is found being discharged from an outfall.

Ohio EPA expects MS4s to resolve dry weather flow situations relatively soon after their discovery, and provide relevant details in subsequent years' annual reports.

MCM 4 & 5 – Construction and Post-Construction Storm water Management

1. The current SWMP does not contain the hotline number (referenced on page 11) residents will be encouraged to use to report problems pertaining to sediment loss or runoff issues created by active construction projects. MS4s are encouraged to inform residents of existing phone numbers that could be called to report storm water management problems at construction sites, as opposed to creating special hotline numbers that will probably not see much use.
2. The current SWMP (on page 13) references a version of Ohio EPA's general construction permit (OHC000003) which is no longer in effect. This permit is revised and reissued every 5 years, with the general permit number changing accordingly (now OHC000004). Future reference to this permit as "the current version of Ohio EPA's construction general permit", or something similar, would eliminate the need to revise relevant ordinances every 5 years to update the permit number.
3. Likewise, the "Declaration of Covenants and Restrictions" form included with the revised permit cites an outdated version of Ohio EPA's NPDES general construction permit in part B under the heading "recitals". This should either be updated to reflect the current version of Ohio EPA's general permit (now OHC000004), or the language could be changed to reference "the current version of Ohio EPA's NPDES general permit for construction site storm water discharges", and so on.
4. Who besides the Village engineer might be the "other appropriate plans examiner agent" (see page 11, 2nd paragraph) that would review proposed construction projects to ensure adequate erosion and sediment controls will be included in future projects? The Village does not have to commit to naming specific private engineering firms it may hire for such work, but rather should state that this is what is meant by "other plan examiners".
5. In general, items listed under the "measureable goal" heading of the box charts included in the current SWMP are more accurately program tasks that would be

better explained in the narrative of the plan itself.

6. How will Village residents without internet access learn of the phone number they can call in the event a construction project in Woodlawn is causing erosion problems? The 2012 annual report suggests this mechanism will be developed by the Village.
7. The current SWMP does not state that only those construction projects which disturb more than one acre of land (or projects that are part of a common plan of development that is larger than one acre) are subject to current NPDES storm water management regulations. Perhaps this is known, but for the purposes of having a thorough SWMP, this detail should be stated somewhere in the plan.

MCM 6 - Pollution Prevention/Good Housekeeping for Municipalities

1. The revised SWMP must provide more detail concerning the Village's management of road deicing salt. Where and how is salt stored? How does the Village ensure it is using the minimal amount necessary, while still providing expected coverage within its territory? Are there specific technologies or equipment that would allow Woodlawn to become even more efficient with its use of salt?
2. Ditto pesticide/herbicide/fertilizer usage within the Village. These materials were not applied in 2012, per the 2012 annual report, but if use resumes in the future, will applicators be licensed as per Ohio Department of Agriculture requirements? Will Village employees do this work, or will Woodlawn contract it out?
3. The revised SWMP must discuss how street sweepings are managed prior to disposal. Note that because street sweepings are, by definition, solid waste, any rainwater coming in contact with them is technically considered leachate that cannot be discharged to a water of the state without treatment.
4. How does the Village deal with maintenance of its vehicle fleet? If done in house, how are spent vehicular fluids managed prior to off-site shipment for recycling or disposal?
5. The Village must discuss its options for required annual training, ie, will it be done in house or by a contracted trainer? In the absence of "...training opportunities presented by state or local agencies..." how will the Village go about meeting this requirement?

6. Copies of storm water pollution prevention plans (SWP3s) prepared for the Village's composting facility and vehicle maintenance garage should be included with the revised SWMP. Depending on how activities are conducted at the maintenance garage, an SWP3 may not be required. Assuming the Village's composting facility operates outside, a plan probably is needed for that site. The revised SWMP should explain in more detail how the composting facility is operated, and outline the steps that have been taken to reduce impact to storm water runoff, if runoff leaves the site. The current SWMP makes no mention of this facility.

The lone comment about MCM 6 from my initial review of Woodlawn's SWMP did not suggest that some of the details listed above would be needed in the revised plan. I apologize for the oversight.

Conclusions

Overall, based on a cursory review of the current SWMP and the 2012 storm water program annual report, Woodlawn's storm water program appears to be addressing most of the requirements imposed by the small MS4 general permit. As pointed out in the above comments, certain aspects of the program remain to be clarified, while others require additional explanation. The overall goal of having a clear, comprehensive plan that is general enough to be understood by an average village resident is close to being met. Ohio EPA expects Woodlawn to prepare a revised SWMP around these comments and have it in place by the time the next small MS4 permit is issued in late January 2014.

The revised plan need not be too specific with respect to activities the Village intends to undertake, as those details can be provided in the appropriate years' annual reports. Including specific activities in the plan for a given year would put the Village in the position of having to revise portions of its plan every year to keep it up to date. Listing more generalized activities, especially those involving public outreach and education, allows the Village to pursue education and outreach opportunities that may only happen once, and which come about on relatively short notice, without having to update its plan. In these situations, the following year's annual report can be used to provide details about specific activities, how many people were involved, and so on.

As a reminder, annual reporting requirements and specific performance standards are listed directly in the current version of the small MS4 general permit following the requirements listed for each Minimum Control Measure (MCM). This information can be helpful in guiding the Village in its preparation of storm water program annual reports.

Ms. Carolyn Smiley-Robertson
July 8, 2013
Page 8

If there are questions about anything in this letter, I can be reached at (937) 285-6442 or via email at chris.cotton@epa.state.oh.us.

Sincerely,

A handwritten signature in black ink that reads "Chris Cotton". The signature is written in a cursive style with a large, stylized "C" at the beginning.

Chris Cotton
Environmental Specialist II
Division of Surface Water

CC/kb

cc: Anthony Robinson, Ohio EPA/DSW/CO