



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

October 4, 2013

RE: CUYAHOGA COUNTY
CITY OF CLEVELAND
INDUSTRIAL STORM WATER
TWIN J'S INC.

NOTICE OF VIOLATION

Michael Slepecky
Twin J's Inc.
5001 Sassafras Dr.
Parma, OH 44129

Dear Mr. Slepecky:

On June 26, 2013, Ohio EPA conducted a site inspection at 11207 Bellaire Road to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permit program for storm water associated with industrial activity. At the time, our records showed that automobile salvage operations at this location were operated by Bellaire Road Auto Parts. Our inspectors, Julianna Murphy and Josh Bewley, met with you during the inspection and you lead them to believe that responsibility for NPDES permit compliance rested with Mr. Irwin Schulman, land owner. Since our inspection, we have been in contact with Mr. Schulman and his consultants, James Environmental Management Inc., and it has come to our attention that your company, Twin J's Inc., is now the operator of the site. Bellaire Auto Parts has gone out of business and you have leased the property from Schulman Enterprises Inc. to operate an automobile salvage yard.

As Ms. Murphy and Mr. Bewley indicated during their site inspection, storm water discharges from automobile salvage yards must comply with the Ohio EPA General NPDES Permit for Storm Water Associated with Industrial Activities #OHR000005. The previous operator had coverage under this permit, but when you took over, coverage was not transferred from Bellaire Road Auto Parts to Twin J's and Twin J's has not submitted an application of your own to obtain NPDES permit coverage for storm water discharges. **As such, Twin J's is in violation of Ohio Revised Code 6111.04 and Ohio Administrative Code 3745-39-04 for discharging storm water runoff associated with industrial activities without NPDES permit coverage.** Violations of ORC 6111 are punishable by fines of up to \$10,000 per day of violation.

To correct this violation, you may submit a General Permit Transfer Form to transfer the existing NPDES permit (Facility #3GR00092*EG) from Bellaire Road Auto Parts to Twin J's, or obtain NPDES permit coverage of your own. To obtain your own NPDES permit coverage, you must submit a Notice of Intent (NOI) to Ohio EPA along with a \$350 permit fee. There is no fee to submit a General Permit Transfer Form. Both forms and instructions can be found on the Ohio EPA website at www.epa.ohio.gov/dsw/storm/index.aspx under the Forms and Permits tab.

Storm Water Pollution Prevention Plan (SWPPP)

The primary requirement of the NPDES permit is development and implementation of the SWPPP. Guidance material for developing an SWPPP is available at the aforementioned website under the Industrial Activities tab. The SWPPP from Bellaire Road Auto Parts may also be available and can provide you with guidance. Further, review the enclosed inspection letter dated August 8, 2013, summarizing our findings during the inspection conducted on June 26, 2013. It identifies deficiencies in storm water pollution prevention practices and will let you know what must be improved. The SWPPP must be developed before submitting the NOI. The SWPPP must:

- Identify pollutants which may come into contact or otherwise contaminate storm water runoff;
- Provide a site map indicating the location of pollutants, drainage patterns and points of storm water discharge;
- Identify Best Management Practices (BMPs) to eliminate or minimize the exposure of those pollutants to storm water. BMPs include but are not limited to:
 - Minimizing exposure by protecting pollutants from storm water runoff, run-on or snow melt by storing them indoors, placing them under cover or within containment structures;
 - Good housekeeping and measures to ensure waste, garbage and floatable debris is not discharged from the site;
 - Preventative maintenance;
 - Spill prevention and response procedures;
 - Sediment and erosion control, and
 - Storm water control practices that divert, infiltrate, reuse, contain or otherwise reduce storm water runoff;
 - Employee training;
- Provide a protocol for regularly inspecting areas where pollutants are stored, processed or otherwise handled and exposed to storm water;
- Provide a protocol for correcting problems revealed by those inspections;
- Provide BMPs to address sector-specific requirements contained in Part 8 of the NPDES permit. Your facility appears to be subject to the requirements of Subpart M Sector M1;
- Provide an evaluation that there are no prohibited non-storm water discharges from the facility; and
- Identify a Pollution Prevention Team whose responsibility it is to implement and evaluate the effectiveness of the SWPPP.

Facilities are required to conduct an Annual Comprehensive Inspection and, based on those results, amend the SWP3 as necessary to address problems or changes in operations which may affect the quality of storm water runoff from the facility.

All facilities are subject to quarterly visual monitoring of storm water discharges and your facility is subject to benchmark monitoring. Please consult Part 4.2 of the NPDES permit for more information about quarterly visual monitoring and Part 6.2.1 for benchmark monitoring. Parameters which must be sampled for benchmark monitoring can be found in Part 8.M.5 of the NPDES permit. Results of benchmark monitoring must be reported to Ohio EPA within 30 days

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of receiving results from the lab. Results are reported electronically using our online electronic discharge monitoring report (eDMR) system. For more information on eDMR and creating an account, please go to <http://epa.ohio.gov/dsw/edmr/eDRM.aspx>. Other records required by the NPDES must be kept on-site with the SWPPP and made available to Ohio EPA or the local municipal separate storm sewer system (MS4) operator upon request.

You are directed to submit the NOI to our Central Office **no later than October 31, 2013**. Submit a copy of the SWPPP to my attention at the Northeast District Office no later than this same date. Twin J's Inc. will continue to be in violation of ORC 6111 until NPDES permit coverage is obtained and the SWPPP is implemented.

If you have any questions, please contact me at (330) 963-1145.

Sincerely,



Dan Bogoevski
District Engineer
Division of Surface Water

DB:bo

pc: Wayne Cockrum, James Environmental Management
Rachid Zoghaib, Commissioner, City of Cleveland, Department of Water Pollution
Control

