



**Environmental
Protection Agency**

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

November 15, 2011

RE: CUYAHOGA COUNTY
CITY OF CLEVELAND
MUNICIPAL STORM WATER PROGRAM
NOTIFICATION OF POSSIBLE ILLICIT DISCHARGE
SMEDLEY'S BAR

Rachid Zoghaib, Commissioner
City of Cleveland
Department of Water Pollution Control
12302 Kirby Avenue
Cleveland, OH 44108

Dear Commissioner Zoghaib:

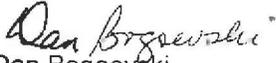
On November 14, 2010, Ohio EPA received an anonymous complaint through US EPA Region 5 regarding Smedley's Bar located at 17004 Lorain Avenue. The complainant alleges that Smedley's Bar dumps used cooking oils into a leaking container stored outdoors. As a result, grease and cooking oils spill onto the parking lot and enter the storm sewer system.

This letter will serve to notify the City of Cleveland of a possible illicit discharge to the municipal separate storm sewer system (MS4). Per obligations contained in Part III.B.3 of the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Small MS4s #3GQ00012*BG, please conduct an illicit discharge investigation and take all appropriate action to eliminate the source(s) of illicit discharge as authorized under Chapter 541 of the City of Cleveland municipal code. Appropriate action includes discussing the complaint with the restaurant manager and providing him with information on how to properly dispose of restaurant wastes, clean equipment and manage cooking oils. Action may also include citation and enforcement as provided in Chapter 541 of the City of Cleveland Municipal Code. If your investigation reveals that the storm sewer system which receives this discharge is a combined sewer system rather than an MS4, please work with the Northeast Ohio Regional Sewer District (NEORS) to determine an appropriate course of action.

Please submit documentation of the investigation, its findings, outcomes and plans for corrective action to me **no later than December 16, 2011**. Documentation should include any notices of violation sent to the business owner or formal enforcement actions taken by the City to correct this matter.

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

Sincerely,


Dan Bogoevski
District Engineer
Division of Surface Water

DB/cs

Cc: Rachid Zoghaib, Department of Water Pollution Control, City of Cleveland
Shirley Tomisello, Department of Law, City of Cleveland
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Ec: Erm Gomes, DSW, NEDO
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Julie Gevrenov, US EPA, Region 5

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