

Stark County Commissioners

March 9, 2022

Ohio Environmental Protection Agency
Division of Surface Water
Storm Water Program – Small MS4
2110 East Aurora Rd.
Twinsburg, OH 44087



County Office Building

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Canton, Ohio 44702
Phone (330) 451-7371
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BOARD OF COMMISSIONERS

Bill Smith, President
Janet Weir Creighton
Richard Regula

COUNTY ADMINISTRATOR

Brant A. Luther, Esq.

Reference: Stark County Storm Water Management Program
Ohio EPA NPDES General Permit No. OHQ000004
Ohio EPA Facility Permit No. 3GQ00120*DG

To Whom it May Concern:

Enclosed please find the updated Stark County Storm Water Management Program (SWMP), Ohio EPA NPDES General Permit No. OHQ000004, Facility Permit No. 3GQ00120*DG. This revised SWMP covers the permit period beginning April 1, 2021, to March 31, 2026. The Stark County Commissioners acted by resolution to adopt the program on March 9, 2022.

Small MS4's are required to update and submit their SWMP with one year of the new permit period. We have revised our plan in each of the six Minimum Control Measures to meet the new requirements of the Ohio EPA NPDES General Permit No. OHQ000004. Our revisions include the targeted training, outreach, and work items to meet the new Total Maximum Daily Limit requirements of the new permit. Specifically, we are targeting the reduction of Total Phosphorus and E-Coli in our identified impaired streams.

Please contact me at your convenience if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Richard Flory". The signature is fluid and cursive, with the first name "Richard" and last name "Flory" clearly legible.

Richard Flory
Board of Stark County Commissioners

Cc: Curtis D. Bungard, PE, County Subdivision Engineer
NPDES File

Resolution

Distribution

Stark County Commissioners

Subdivision Engineer
Ohio EPA NPDES
Journal
File

Adopted March 9, 2022

Subject **A Resolution Approving the Stark County Storm Water Management Program - Ohio EPA NPDES General Permit OHQ000004.**

Commissioner Cleighton moved for the adoption of the following Resolution which was seconded by Commissioner Regula:

WHEREAS, the Subdivision Engineer has prepared the Stark County's Storm Water Management Program; and

WHEREAS, the Subdivision Engineer has prepared the Program in accordance with National Pollutant Discharge Elimination System (NPDES) Permit No. OHQ000004 as required by the Ohio EPA, which covers the permit period beginning April 1, 2021, to March 31, 2026; and

NOW THEREFORE BE IT RESOLVED, this Board hereby approves the Stark County Storm Water Management Program in accordance with National Pollutant Discharge Elimination System (NPDES) Permit No. OHQ000004 as required by the Ohio EPA, which covers the permit period beginning April 1, 2021, to March 31, 2026 and authorizes the President of the Board to sign the Certification and along with the Program are attached hereto and made a part hereof as if fully rewritten herein.

Upon roll call the vote resulted as follows:

Mr. Smith - yes Mrs. Creighton - yes Mr. Regula - yes

C-E-R-T-I-F-I-C-A-T-E

I, the undersigned, hereby certify the foregoing to be a true and correct record of the Resolution adopted by the Board.

Richard Flory



**STARK COUNTY
REGIONAL PLANNING
COMMISSION**

201 3RD ST. NE. STE. 201. CANTON, OH 44702-1211

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t 330 451 7389 f 330 451 7990

February 28, 2022

Board of Stark County Commissioners
Stark County Office Building
110 Central Plaza South – Suite 240
Canton, Ohio 44702

Reference: Stark County Revised Storm Water Management Program
Ohio EPA NPDES General Permit No. OHQ000004
Ohio EPA Facility Permit No. 3GQ00120*DG

Attention: Rick Flory

Honorable Commissioners:

Attached is the proposed Stark County Storm Water Management Program for the current general permit period, which went into effect April 1, 2021 and will end March 31, 2026. Submittal of an updated Storm Water Management Program for this permit period is one of the requirements of the Ohio EPA NPDES General Permit No. OHQ000004.

Under the new permit, communities with impaired waterways that have Total Maximum Daily Loads Limits (TMDL's) are required to do specific training and targeted work items. Like many other political subdivisions, Stark County has rivers with TMDL's. Specifically, for Stark County, we have streams with limits on the amount of phosphorous and e-coli allowed in certain streams. Therefore, each of the six sections of our program has been modified to include training, outreach, and projects over the 5-year permit period to help remove these contaminants from our waterways.

This program has been put together with the help of Malia Burgasser with Regional Planning; Todd Paulus with the Health Department; John S. Weedon with the Soil & Water Conservation District; and David Torrence, Steve Gronow and Terry Haas with the County Engineer's office.

Please let me if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Curtis Bungard".

Curtis Bungard, PE
Subdivision Engineer

Cc: NPDES File

**Stark County
Storm Water Management Program**



Ohio EPA General Permit No. OHQ000004

**Ohio EPA Facility Permit Number
3GQ00120*DG**

February 22, 2022

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Section II - Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



Bill Smith - President Board of Stark County Commissioners

Section II - Introduction

The Federal Water Pollution Control Act, more commonly known as the Clean Water Act (CWA), is a comprehensive statute aimed at restoring and maintaining the chemical, physical and biological integrity of the nation's waters. Originally enacted in 1948, the CWA has been amended numerous times. In 1972 the CWA was again amended with the language of the original Act and subsequent amendments up to that time being replaced with new language entirely. The 1972 CWA gave the Environmental Protection Agency (EPA) authority to set effluent standards for all point source industries, including the offshore oil and gas extraction industry and included the requirement that the discharge of any pollutant to navigable waters of the United States from a point source is unlawful except through a National Pollutant Discharge Elimination System (NPDES) permit. In 1987, Congress again passed amendments to the CWA thereby establishing a program to regulate storm water discharge from non-point sources and named the EPA as the agency responsible for carrying out the requirements of this program.

In November of 1990, requirements developed by the EPA for Phase I of the NPDES permit were approved and signed into law by the Federal Government. Phase I named three types of activities to be regulated through NPDES permits to help reduce pollutant sources:

- Industrial facilities that fall into one of ten categories. Industrial facilities that fall into one of ten categories established by the EPA are required obtain permit coverage under a general permit or an individual permit, depending upon the facility's standard identification code and the industrial activity occurring at the facility.
- Construction activities that disturb five or more acres of land. Developers of such construction sites are required to obtain a general or an individual permit as well as develop and implement an approved site-specific erosion and sediment control plan.
- Municipal separate storm sewer systems (MS4s) serving populations of 100,000 or more based on 1990 census data. Each subject local government is required to develop and implement a Storm Water Management Program that meets the requirements of the NPDES Phase I Permit.

In December of 1999, requirements developed by the EPA for Phase II of the NPDES permit were approved and signed into law by the Federal Government. These requirements built upon the existing Phase I requirements and required smaller communities, again called (MS4s), to be permitted. Smaller communities are defined as having a total population of more than 50,000, but less than 100,000 and a density of 1,000 persons per square mile based upon the latest census data. Such a population density is within what is called an urbanized area. The Phase II rules also allowed the EPA to establish a MS4 if the community has a population of at least 10,000 and it determines that wet-weather flow discharges could cause an adverse impact on the quality of receiving waters. The Phase II rules also allowed the EPA to establish a MS4 if the community has a population of at least 1000 and it determines that the discharge of storm water from that community is contributing substantially to pollutant loading of a physically interconnected and regulated MS4. The Phase II rules also lowered the threshold for construction activities that disturb earthen areas from 5 acres to 1 acre.

In accordance with requirements of the Phase II rules, Stark County was designated by the Ohio EPA as a MS4 with the Board of County Commissioners being the responsible office for the county. Under the NPDES Phase II requirements, a MS4 is required to apply for a NPDES permit from the Ohio EPA by submitting either an individual permit or receive coverage under the Ohio EPA's general permit. Stark County elected to receive coverage under the Ohio EPA's general permit because of this process being less time consuming and costly than developing and obtaining approval for an individual permit. The NPDES permit pertains to only those areas of the County that are within an urbanized area.

In order to receive coverage under the general permit, a MS4 must develop a Storm Water Management Program that establishes Best Management Practices (BMPs) in the following six minimum measures:

1. **Public Education and Outreach on Storm Water Impacts.** Establish and implement BMPs to educate the public about the impacts of storm water discharges on receiving waters and what individuals can do to prevent storm water pollution.
2. **Public Participation and Involvement.** Establish and implement BMPs, which give the public an opportunity to actually participate in both the development and implementation of a storm water program.
3. **Illicit Discharge Detection and Elimination.** Requires the MS4 to develop, implement and enforce BMPs to detect and eliminate illicit discharges to and/or from the conveyance system operated by the MS4. In addition, means of identifying and eliminating any contaminants being discharged must be developed and implemented.
4. **Construction Site Storm Water Runoff Control.** Requires the MS4 to develop, implement and enforce BMPs to reduce pollutants in any storm water runoff that discharges into the conveyance system operated by the MS4 from construction activities that result in a land disturbance of greater than or equal to one acre.
5. **Post Construction Storm Water Management in New Development and Redevelopment.** Requires the MS4 to develop, implement and enforce BMPs that prevent or minimize water quality impacts from new development and redevelopment projects that discharge into the conveyance system operated by the MS4. Projects which disturb land areas greater than or equal to one acre must be addressed.
6. **Pollution Prevention and Good Housekeeping for Municipal Operations.** Requires the MS4 to develop and implement an operations and maintenance BMPs that prevent or reduce pollutant runoff from facilities the MS4 operates. Training of employees on how to prevent or reduce storm water pollution from maintenance activities included.

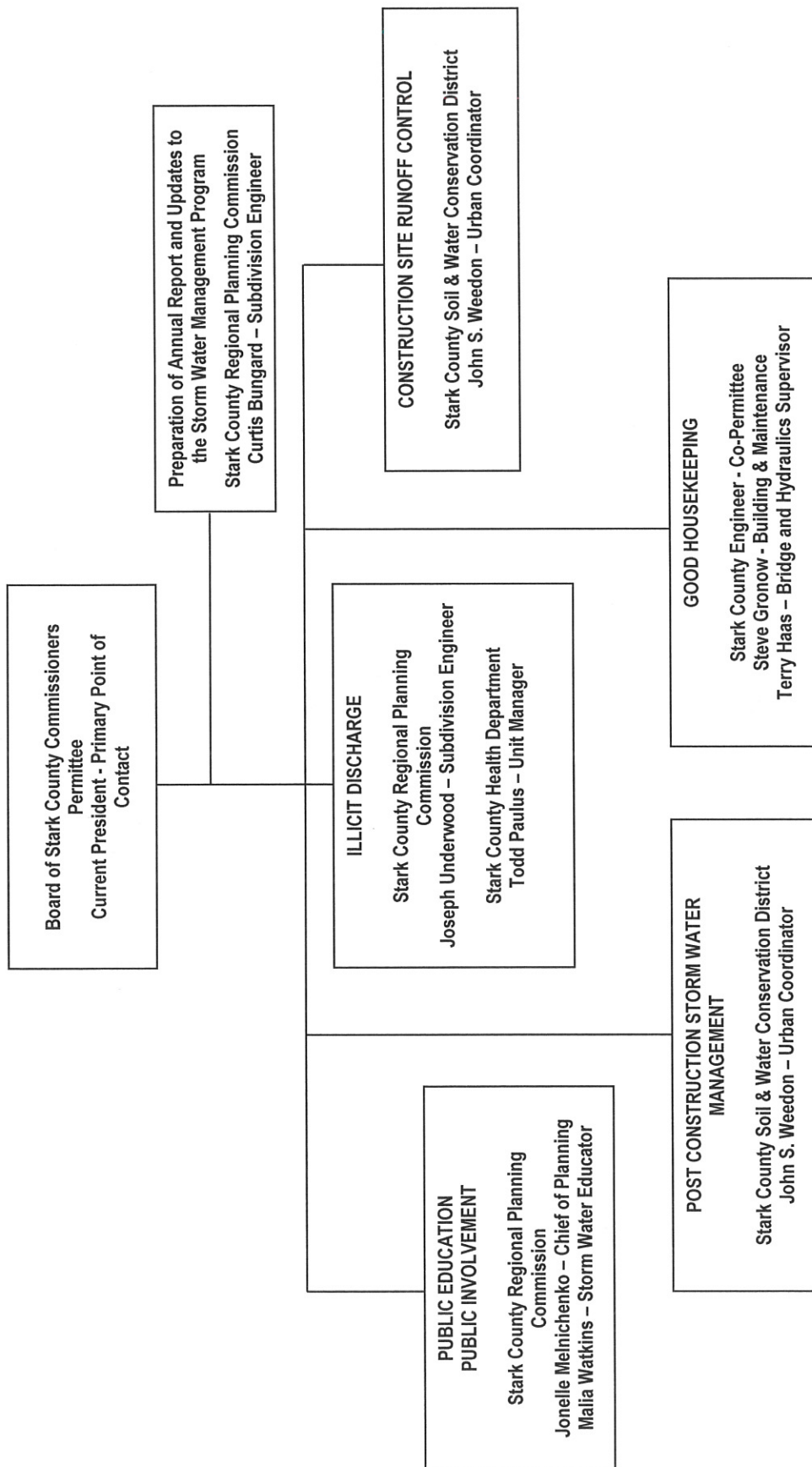
Stark County submitted their initial Storm Water Management Program to the Ohio EPA on March 10, 2003 and received coverage under the Ohio EPA's NPDES General Permit No. OHQ000001, which was effective for the calendar years of 2003 thru 2008. The initial program has undergone several modifications with some of the revisions being required by the Ohio EPA and some of the revisions made by the County to help make the program more effective and easier to manage. This Storm Water Management Program reflects those past modifications as well as meeting the Ohio EPA's current NPDES General Permit No. OHQ000004, which went into effect April 1, 2021, and will remain in effect until March 31, 2026.

The various BMPs in the six minimum measures of the County's Storm Water Management Program are being implemented as follows:

1. BMPs in the **Public Education and Outreach on Storm Water Impacts** category are implemented by the Stark County Regional Planning Commission through an agreement with the Board of Stark County Commissioners.
2. BMPs in the **Public Involvement and Participation** category are also being implemented by the Stark County Regional Planning Commission through an agreement with the Board of Stark County Commissioners.
3. BMPs in the **Illicit Discharge Detection and Elimination** category are implemented by the Stark County Regional Planning Commission through an agreement with the Board of Stark County Commissioners and by the Stark County Health Department as required by state law.
4. BMPs in the **Construction Site Storm Water Runoff Control** category are implemented by the Stark County Soil & Water Conservation District through an agreement with the Board of Stark County Commissioners.
5. BMPs in the **Post-Construction Storm Water Management in New Development and Redevelopment** category are being implemented by the Stark County Soil & Water Conservation District through an agreement with the Board of Stark County Commissioners.
6. BMPs in the **Pollution Prevention and Good Housekeeping for Municipal Operations** category are implemented by the Stark County Engineer's office. The Stark County Engineer is a co-permittee under the current NPDES General Permit No. OHQ000003

In the sections that follow, detailed information is given for each of the BMPs, which comprise Stark County's current Storm Water Management Program. Also, in accordance with requirements of the General Permit, Stark County submits an annual report and permit fee to the Ohio EPA by April 1st of each year that the General Permit is in effect. The annual report gives the status of the program's compliance with the General Permit and other information on the previous year's activities for each BMP.

STARK COUNTY STORM WATER MANAGEMENT PROGRAM TABLE OF ORGANIZATION



NAMES AND CONTACT INFORMATION

Current President
Board of Stark County Commissioners
110 Central Plaza South - Suite 240
Canton, OH 44702
Phone: 330-451-7371

Curtis Bungard - Subdivision Engineer
Stark County Regional Planning Commission
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Brenda Sarsany - Chief of Planning
Malia Watkins - Storm Water Educator
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Steve Gronow and Terry Haas
Stark County Engineer
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Todd Paulus - Unit Manager
Stark County Health Department
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2650 Richville Drive SE
Massillon, OH 44646
Phone: 330-451-7645

Section IV - Public Education and Outreach on Storm Water Impacts

BMP No. 1 – Community Education

Responsible Party - The Stark County Regional Planning Commission

Designated employees of the Stark County Regional Planning Commission (SCRPC) will implement a multi-faceted community outreach program to better coordinate all aspects of Stark County's education and outreach program. A number of outreach efforts have been selected to better educate different target audiences through this BMP, including the following:

- Spring Radio Awareness Campaign with advertisements on 101.7 WHOF FM, which has rapidly grown to be one of the top stations in the Stark County area. These advertisements will be scheduled for the time of year when residents are thinking about yard care, gardening, and general home activities that impact storm water. The goal is to run at least 130 60-second advertisements during the spring months of each year.
- Print storm water related articles in the SCRPC newsletter and The Stock Pile newsletter, and the SCRPC's website. The goal is have an article related to storm water quality in each of these publications at least four times each year.
- Expand upon the storm water related articles currently published and print an article or advertisement in the BIA newsletter and The Canton Repository newspaper. The goal is to provide an article and/or advertisement to these publications at least once each year.
- Create various brochures and handouts related to storm water quality for distribution at the local libraries, schools, building departments, and public events, as well as through mailings. The goal is to create and distribute one new localized brochure in 2009.
- Offer a booth related to storm water quality to be displayed at local fairs or expos. Informational brochures will available to the public at this booth covering such topics as natural alternatives to household chemicals, rain barrels, rain gardens, and other storm water issues. The goal is to have a booth displayed at a minimum of two local fairs or expos each year.
- Inform individuals and groups on how they can become involved with the program through press releases, website, email list, and letters sent to clubs and civic organizations.
- Target audiences will be homeowners and the general public. Homeowners are the target for 2009 in keeping with our theme of "things you can do around the house" to help protect storm water. We will be contacting various organizations that would have an interest/impact with commercial, industrial, and institutional entities. Additional audiences will be included as future themes are developed.
- Stark County has watersheds that have been identified for Total Maximum Daily Limits of two pollutants, specifically Total Phosphorus and E-coli. Community Education topics will be selected to address each of these pollutants at least once for each pollutant as part of our five themes during this permit period. BMP themes for the two pollutants may include: for Total Phosphorus – proper commercial and/or yard fertilizer use, community/individual car wash standards, septic system maintenance, gray water cross connections, etc.; for E-Coli – septic system maintenance, pet waste, agricultural practices such as cattle grazing and manure fertilizers, etc.

- Other targeted pollutant sources are litter, pesticides, oil, paints, soap, lawn waste, etc.
- Outreach strategy to reach the audiences will be billboards, radio, newspaper, brochures, workshops and presentations. Each year we expect to reach the following number of people through each medium:

Radio- 45,500

Billboards – 4,100 per billboard with at least 6 billboards

Newspaper – 140,000

Workshops/presentations - 100

Brochures - Approximately 2000

Newsletter articles - Approximately 500

Each year the total would be approximately 212,700 people.

The total for the permit term would be roughly 1,063,500 people.

The number, dates, and types of various advertisements, articles published, booths displayed, brochures distributed, etc. will be tracked and reported on annually.

BMP No. 2 – Classroom Education

Responsible Party – Stark County Regional Planning Commission

Designated employees of the Stark County Regional Planning Commission (SCRPC) will implement as well as promote various classroom educational programs related to storm water quality throughout the county, including the following:

- Implement a Billboard Contest and Awareness Campaign. Storm water educational brochures/invitations will be issued to students in the middle and high schools' art classes throughout Stark County. Students will be given the opportunity to submit an entry for a billboard advertisement related to storm water quality. The top six entries will be selected with the winners announced in press releases as well as in the SCRPC's quarterly newsletter. The six winning entries will become six actual billboard advertisements put up at various locations throughout Stark County. The goal is to receive a minimum of 50 entries per year and place six billboards.
- Distribute storm water quality educational posters to all of the schools throughout Stark County. The goal is to distribute enough posters each year so that they are displayed in a minimum of 500 classrooms.
- Conduct educational presentations related to storm water quality to secondary students and adults throughout Stark County. The goal is to conduct a minimum of 12 presentations per year to various civic organizations, garden clubs, etc.
- Promote and assist with the various educational programs put on by Stark Parks, Stark County Soil & Water Conservation District, and Stark County Health Department each year.
- Press releases and various types of advertisements will be used to promote all of the programs listed.

Each program or presentation will be tracked and reported on annually.

Section V - Public Involvement and Participation

BMP No. 1 – Citizen Input Initiative

Responsible Party – Stark County Regional Planning Commission

Designated employees of the Stark County Regional Planning Commission (SCRPC) will implement as well as promote public involvement in the County's Storm Water Management Program including the following:

- A web-based survey on storm water related issues will be on the Stark County Regional Planning Commission's (SCRPC) web site. This survey will be promoted in SCRPC's quarterly newsletter, press releases, and various meetings. It is a continuation of the survey already on the website. It will be updated adding a comment section for ideas and suggestions asking the public if they would attend a forum or be interested in a PIPE Committee. The goal is to receive a minimum of 100 responses to the survey each year with input on our program.
- Form Public Involvement and Public Education (PIPE) Committee and hold quarterly meetings to review other agencies BMP's and coordinate programming. The Committee will share brochure and advertising programming and costs. The Committee will also coordinate the yearly themes county-wide, storm drain stenciling, article library for all to draw from, links to each other's sites, and staffing of booths at events. The goal is to invite the public to participate by giving input on plans and programming.
- Stark County has watersheds that have been identified for Total Maximum Daily Limits of two pollutants, specifically Total Phosphorus and E-coli. Shared brochures and advertising program topics will be selected to address each of these pollutants at least once for each pollutant as part of our five themes during this permit period. BMP themes for the two pollutants may include: for Total Phosphorus – proper commercial and/or yard fertilizer use, community/individual car wash standards, septic system maintenance, gray water cross connections, etc.; for E-Coli – septic system maintenance, pet waste, agricultural practices such as cattle grazing and manure fertilizers, etc.
- The goal for reaching target audiences is to send brochures and articles to the following groups to be placed in their newsletters: environmental groups (Wilderness Center, Audubon Society, Stark Parks, etc.); commercial groups (the BIA -Building Industry Association); and low-income persons (The Stock Pile –a building materials reuse warehouse).

The number of surveys and input received will be tracked and reported on annually. The number of PIPE Committee meetings and coordinated programming will be reported on annually.

BMP No. 2 – Water Cleanups

Responsible Party – Stark County Regional Planning Commission

Designated employees of the Stark County Regional Planning Commission (SCRPC) will work with the Northeast Four County Planning Organization (NEFCO) and public volunteers in implementing and promoting the following:

- Nimishillen Creek Watershed Partners is a voluntary group consisting of Nimishillen Creek stakeholders with the common goal of restoring and protecting the overall health of Nimishillen Creek.

A diverse Core Committee meets on a regular monthly basis to discuss watershed activities and plan future events as well as directing the group's activities. Activities include the Nimishillen Creek LEAP (Litter, Elimination, Awareness, and Prevention) events where litter along the Nimishillen Creek is removed through volunteers' efforts and educational materials are provided on various watershed issues.

- Co-sponsor a cleanup each year with the Nimishillen Creek Watershed Partners. Take the opportunity to give a brief presentation to the volunteers as well as distribute educational materials on various watershed issues. The goal is to participate in a minimum of at least one cleanup each year with at least 50 volunteers participating.

The number of meetings, activities, participants, amount of litter collected, etc. will be tracked and reported on annually.

Section VI - Illicit Discharge Detection and Elimination

Rationale Statement

According to the 2000 National Water Quality Inventory, a biennial summary of State surveys of water quality, approximately 40 percent of surveyed U.S. water bodies are still impaired by pollution and do not meet water quality standards. A leading source of this impairment is polluted runoff. Phase II is intended to further reduce adverse impacts to water quality and aquatic habitat by instituting the use of controls on the unregulated sources of storm water discharges that have the greatest likelihood of causing continued environmental degradation.

The federal Water Pollution Control Act (also referred to as the Clean Water Act) that was enacted in 1972 provides that, except in compliance with the Clean Water Act, the discharge of any pollutant to waters of the United States by any person shall be unlawful. The Phase II program requires operators of MS4s in urbanized areas and operators of small construction sites, through the use of NPDES permits, to implement programs and practices to control polluted storm water runoff.

In order to fulfill the EPA's requirements, the Stark County Health Department has developed an Illicit Discharge Detection and Elimination Program on behalf of contracted MS4's to detect and eliminate cross-connections, dumping of wastes, or other non-storm water discharges not authorized by a separate NPDES permit. This program includes five BMP's with measurable goals which are as follows:

BMP No. 1 – Ordinance or Other Regulatory Mechanism

Responsible Party – Board of Stark County Commissioners

A Stark County Assistant Prosecuting Attorney found that the County could not legally adopt an illicit discharge ordinance. In lieu of such an ordinance, an Illicit Discharge Detection and Elimination Flow Chart was developed and is being utilized to direct enforcement activities. See Appendix C for a copy of the Illicit Discharge Detection and Elimination Flow Chart. When applicable, illicit discharge complaints are forwarded to the Stark County Health Department for enforcement and abatement to the extent allowable under ORC 3707.01 and other applicable laws through its' nuisance program. See Appendix D for a copy of the Stark County Health Department's nuisance policy. Otherwise, the Illicit Discharge Detection and Elimination Flow Chart is utilized to insure proper enforcement is implemented.

BMP No. 2 – Storm Water Conveyance System Map

Responsible Party – Board of Stark County Commissioners

The County's Subdivision Engineer maintains the storm water conveyance system map, which shows the systems that are owned and operated by the County and located within the designated urbanized area not including City's and Villages who keep their own mapping. This mapping is prepared using the ArcGIS computer software in conjunction with the county's geographic information system (GIS) data base. This GIS map includes catch basins, pipes, ditches, outfalls, flood control facilities, and post-construction BMPs. The map is kept up to date as revisions or upgrades to any storm water conveyance system are completed.

BMP No. 3 – HSTS Mapping and List
Responsible Party – Stark County Health Department

The HSTS map and list were completed in 2008. To keep the map up-to-date, new discharging systems permitted with NPDES permits are added to the list when a permit is issued. Any additional systems found during field inspections are also added to the list. As needed, new maps are produced to replace out dated maps.

BMP No. 4 – IDDE Plan
Responsible Party – Board of Stark County Commissioners

- 1) Detection: Illicit discharges are detected through the following: dry weather field screenings of outfalls, HSTS operational inspections required by County Sewage Regulations and through the Stark County Health Department's Nuisance program.
 - a. Outfall screening: Visual inspections are made of each outfall at least once during every 5-year permit period. Documentation of each outfall screening shall be kept and maintained.
 - b. Should any suspect flows be observed, a nuisance investigation form is filed with the Stark County Health Department, who will perform chemical and/or biological tests to determine if an illicit discharge exists. For illicit discharges other than sewage, the Ohio EPA is notified. Documentation of each nuisance investigation shall be kept and maintained as well as what if any remediation was found necessary.
 - c. Operational inspections: Operational inspections are required by County Regulations whenever a building permit is issued and at the time of the property transfer. In addition, a new aeration system operation and maintenance program was implemented in 2012 that requires the owner of an aeration system to maintain a service contract for the life of the system with a registered service provider. Each year statistics of the operational inspections conducted in the County is produced by the Stark County Health Department.
 - d. Public reporting of illicit discharges: Illicit discharges of sewage can also be reported by the public to the Stark County Health Department during normal business hours through its' emergency phone number, where a sanitarian is on call twenty-four hours a day, seven days a week. Depending on the nature of the discharge, an inspection is conducted immediately or on the next business day. For illicit discharges other than sewage, the Ohio EPA is notified. Documentation of each nuisance investigation shall be kept and maintained as well as what if any remediation was found necessary.
 - e. Priority areas: Some areas have a higher likelihood of HSTS's failure. Identifying these areas is beneficial to focus detection efforts. These areas were located and mapped using GIS data analysis (See map appendix E). Records review and sampling is conducted as needed to aid in determining the priority status of an area. Beginning in 2015, the Stark County Health Department along the Stark County Sanitary Engineering Department are coordinating a prioritized list of areas needing gravity sanitary sewers. The list will be produced by the Northeast Ohio Four County Organization (NEFCO) to help determine which areas to install sewers in first. Various funding mechanisms are also being explored.

f. Emergency Notification: If any of the following illicit discharges are detected discharging to our small MS4, we shall notify the Ohio EPA within 24 hours:

- i. Illicit sanitary cross connections from industrial, commercial, or multi-family sources; and
- ii. Leaking or broken sanitary sewer lines that are actively contributing sewage to our small MS4.

The notification shall include the location, general description, date, and the approximate time the illicit discharge was discovered. The notification shall be made to the Northeast District Office at nedo24hournpdes@epa.ohio.gov

2) Elimination: Enforcement authority for most illicit discharges is already delegated to the Board of Health under sections of the Ohio Administrative Code, Ohio Revised Code and the Stark County Sewage Treatment System Regulations. These sewage regulations can be viewed or downloaded from the web site: <http://www.starkhealth.org>

- a. Single system/small-scale STS failure: Outfalls, nuisances, or HSTS inspections indicating septic system failures are further evaluated to categorize them as either single system/small-scale failure or large scale/area-wide failure. When single system/small-scale failure is determined, source tracing begins immediately. Once the source(s) is found, enforcement action in accordance with the Stark County Health Department's nuisance policy is initiated. Accessibility to sanitary sewer is evaluated whenever sewer is within roughly ½ mile of the area.
- b. Large-scale STS failure: Areas with large-scale failure (approximately ten or more failing systems) are reviewed for feasibility of extension of the sanitary sewer. The following criteria are used to prioritize area-wide failure: public health or environmental significance (surface or ground water pollution); urbanized Phase II area; failure rate; complaints; proximity to an existing sewer; technical and/or financial feasibility; number of households (> or < 50); property owner's and political leader's support or lack of support and/or existing petitions. In addition, a priority list of areas that are of public health concern has been prepared and should be considered for extension of sanitary sewer. (See previous Item 1e) This list includes both urbanized and un-urbanized areas of the County. Upon determining which areas are likely to be sewered within the next 5 to 10 years, mechanisms of requiring the sewer's installation and connection are also determined, whether by a petition process or enforcement under ORC 6117. Those areas unable to be served by sewer must install replacement sewage treatment systems.
- c. Other illicit discharges: Suspicious discharges other than sewage are further evaluated by County personnel to detect illicit connections. If detected and the Stark County Health Department lacks statutory authority, the Illicit Discharge Enforcement Flow Chart (See Appendix C) is used for enforcement.
- d. IDDE Public Education: The Stark County Regional Planning Commission (SCRPC) has an agreement with the Board of Stark County Commissioners to handle the IDDE Public Education requirements. Below are some of the venues that will be used to educate the general public, businesses and County employees on the hazards associated with illicit discharges and improper waste disposal:
 - i. Township, village, city and county newsletters are used to communicate storm water articles with the general public. SCRPC creates articles for the county in their quarterly newsletter. A township, village, or city can create their own articles or request an article from the SCRPC. In addition, all of these entities are encouraged to place articles and information on their websites.

Copies of newsletters are maintained in a file at the Stark County Health Department to ensure that educational efforts are not being duplicated.

- ii. SCRPC will have presentations available for schools, businesses and public organizations. This includes age-specific handouts, videos, word-searches, coloring pages, etc.
 - iii. SCRPC will also create a new brochure where illicit discharges and proper waste disposal will be the focus.
 - iv. Other forms of educating residents are currently in place (billboards, radio ads, brochures, etc.), however illicit discharges will be included in the various themes and messages.
- e. Employee Training: Because Stark County has watersheds that have been identified for Total Maximum Daily Limits of two pollutants, specifically Total Phosphorus and E-coli, our IDDE program will include annual employee training for an illicit discharge detection and elimination topic. See more about this under BMP 6 Pollution Prevention and Good Housekeeping for Municipal Operations.

BMP No. 5 – Dry Weather Screening of Outfalls
Responsible Party – Board of Stark County Commissioners

The County's Subdivision Engineer performs the dry weather screening of all outfalls that are owned and operated by the County and that are located within the designated urbanized areas. All outfalls are included as part of the County's storm water conveyance system map, which was noted in previous BMP No. 2. A minimum of 20% of the outfalls are visually inspected annually. An inspection log of each outfall screened is kept. A Nuisance Report is filed with the Stark County Health Department should there be a flow from an outfall that appears suspicious as being or containing a possible illicit discharge. The Health Department then determines if the flow is an illicit discharge. If a sewage illicit discharge is determined, the Health Department takes the necessary corrective actions. If an illicit discharge is not from sewage, the Ohio EPA is notified. Documentation of each nuisance investigation shall be kept and maintained as well as what if any remediation was found necessary.

Procedures for Program Evaluation and Assessment:

Measurable goals have been developed to evaluate BMP effectiveness. The BMP's that have been selected are targeted to address existing water quality problems and prevent new water quality problems. In addition, the IDDE Program Evaluation Form (See Appendix F) is completed annually for each MS4.

Overall Management:

The current President of the Board of Stark County Commissioners is responsible for the overall management and implementation of the Phase II Stormwater Illicit Discharge Detection and Elimination Program.

BMP's and Measurable Goals:

The following table represents the BMP's and measurable goals that are the key components of the Stark County's Illicit Discharge Detection and Elimination Program:

BMP		Measurable Goals Status	Basis for Selection of Measurable Goals
1	Ordinance or Other Regulatory Mechanism	Utilize an Illicit Discharge Detection and Elimination Flow Chart to insure proper enforcement is implemented.	Required by Ohio EPA General Permit.
2	Storm Water Conveyance System Map	Maintain and keep up to date.	Required by Ohio EPA General Permit.
3	HSTS Mapping and List	Maintain and keep up to date.	Required by Ohio EPA General Permit.
4	IDDE Plan	Track the implementation of the plan, and modify plan as necessary. Also track public education activities.	Required by Ohio EPA General Permit.
5	Dry-Weather Screening of Outfalls	Screen a minimum of 20% of outfalls each year. Track the number of illicit discharges found and the corresponding corrective actions taken.	Required by Ohio EPA General Permit.
6	Employee Training	Provide annual training including an illicit discharge detection and elimination topic.	Required by Ohio EPA General Permit.

Section VII - Construction Site Storm Water Runoff Control

BMP No. 1 – Erosion and Sediment Control Legislation

Responsible Party - Stark County Soil & Water Conservation District

The Stark County Storm Water Quality Regulations were chosen as the mechanism to require erosion/sediment controls to be implemented at construction sites that disturb 1 acre or more of earthen area. These regulations were revised during the initial five year term of the NPDES General Permit No. OHQ00001. These revisions were prepared by a committee consisting of various local agencies, various engineering firm representatives, the local building industry association, and a representative from the Stark County Prosecutors office and made available for public review and comment on Stark Soil & Water Conservation District's web site before being adopted by the Stark County Board of Commissioners in January of 2008. The regulations are consistent with and meet or exceed the requirements given in the current Ohio Environmental Protection Agency General Construction Permit including disposal of solid, sanitary and toxic waste materials. A copy of the Stark County Storm Water Quality Regulations is available for printing and review on the Stark County Soil and Water Conservation District's web site www.starkswcd.org.

Success of this control measure will be evaluated by documenting the number of applicable sites in the county's jurisdiction that fall under these regulations as well as a yearly review of these regulations to insure they remain up to date with Ohio EPA standards and requirements.

BMP No. 2 – Sediment & Erosion Control Requirements

Responsible Party - Stark County Soil & Water Conservation District

Stark County's Storm Water Quality Regulations require Best Management Practice's (BMPs) to be installed on any project that will disturb 1 acre or more of earthen area or less than 1 acre if part of a larger common plan of development or sale. These requirements meet or exceed the standards given in the most current Ohio EPA General Construction Permit. There are various guides available that can be used for choosing appropriate BMPs, some of which are as follows:

- Ohio Rainwater and Land Development Manual
- Ohio Standards for Storm Water Management & Land Development and Urban Stream Protection

Success of this control measure will be evaluated by reviewing the regulations annually and revising them as required or needed.

BMP No. 3 – Public Complaint Procedures

Responsible Party - Stark County Soil & Water Conservation District

Procedures have been developed to address public complaints and/or comments pertaining to erosion/sediment control problems. A copy of the complaint procedures and the complaint form are available for printing and review on the Stark County Soil and Water Conservation District's web site www.starkswcd.org. All complaints are responded to by a site visit, letter and/or phone call in accordance with the complaint procedure.

Success of this control measure will be evaluated by documenting the number of complaints received and how they were addressed.

BMP No. 4 – Site Plan Review

Responsible Party - Stark County Soil & Water Conservation District

Sites proposed for development that will disturb 1 acre or more of earthen area or less than 1 acre if part of a larger common plan of development or sale requires the developer to submit a Storm Water Pollution Prevention Plan for review and approval. Preliminary reviews are conducted monthly at the Stark County Regional Planning Commission's meeting. A Storm Water Pollution Prevention Plan for proposed road projects must be submitted by the County Engineers Office if they meet the acreage requirements. In addition, a Storm Water Pollution Prevention Plan within the designated urbanized area of the County is reviewed for potential water quality impacts by performing a site visit and investigated through the use of soil, wetland, flood plain, and watershed maps. A copy of the Storm Water Pollution Prevention Plan check list and the Storm Water Pollution Prevention Plan submittal requirements are available for printing and review on the Stark County Soil and Water Conservation District's web site www.starkswcd.org.

Success of this control measure will be evaluated by documenting the number of Storm Water Pollution Prevention Plans reviewed and approved.

BMP No. 5 – Site Inspection Procedures

Responsible Party - Stark County Soil & Water Conservation District

Following the initial inspection of erosion and sediment control practices by the Developer's delegated representative, regular inspections are performed by the Stark County Soil and Water Conservation District's staff as outlined in the Stark County Storm Water Quality Regulations. All active sites are inspected twice a week with inactive sites inspected monthly and non-compliant sites inspected weekly. Environmental conditions, sensitive areas or watersheds with a completed Total Maximum Daily Load report may require more frequent inspections. Inspections follow the guidelines given in Ohio EPA's General Construction Permit and Stark County Storm Water Quality Regulations. Inspection check lists are available for review and use on Stark County Soil and Water Conservation District's web site.

Stark County has two watersheds that have been identified for Total Maximum Daily Limits for Nutrients, specifically Total Phosphorus. These watersheds are the Cuyahoga (middle and upper) and the Tuscarawas. As such, construction sites within these two river basins that have compliance issues are required to be inspected at a minimum of once every fourteen days. Our standard inspection times already meet or exceed this requirement.

Success of this BMP will be evaluated by documenting the number of sites inspected and the frequency of inspections.

BMP No. 6 – Enforcement Mechanism and Procedures

Responsible Party - Stark County Soil & Water Conservation District

A Notice of Violation process is used to address enforcement of existing regulations. A copy of this procedure is available for printing and review on the Stark County Soil and Water Conservation District's web site www.starkswcd.org. This process requires a Notice of Violation letter be sent to the Developer, which details the deficiencies and a 30 calendar day time period to correct the deficiencies. Non-compliant sites are inspected weekly at an additional fee of \$45.00 per hour until the site is in compliance. Immediate stop work orders can be issued by the Stark County Prosecutor's office for the following reasons:

- Soil disturbing activities without an earth disturbance permit.
- Soil disturbing activities without an approved Storm Water Pollution Prevention Plan.
- Soil disturbing activities without an Ohio EPA National Pollution Discharge Elimination System Permit.
- Soil disturbing activities occurring without a preconstruction meeting having been conducted.

Success of this control measure will be evaluated by documenting the number of violation letters issued and how each non-compliant site was addressed.

Section VIII - Post Construction Storm Water Management in New Development and Redevelopment

BMP No. 1 – Storm Water Quality Post Construction Requirements Legislation Responsible Party - Stark County Soil & Water Conservation District

The mechanism chosen to address water quality post construction was the Stark County Storm Water Quality Regulations. Section II of these regulations address requirements pertaining to post construction water quality. These regulations were revised during the initial five year term of the NPDES General Permit No. OHQ00001. These revisions were prepared by a committee consisting of various local agencies, various engineering firm representatives, the local building industry association, and a representative from the Stark County Prosecutors office and made available for public review and comment on Stark Soil & Water Conservation District's web site before being adopted by the Stark County Board of Commissioners in January of 2008. The regulations are consistent with and meet or exceed the requirements given in the current Ohio Environmental Protection Agency General Construction Permit. A copy of the Stark County Storm Water Quality Regulations is available for printing and review on the Stark County Soil and Water Conservation District's web site www.starkswcd.org.

Success of this BMP will be evaluated by reviewing the regulations annually and revising them as required.

BMP No. 2 – Storm Water Quality Post Construction Requirements Responsible Party - Stark County Soil & Water Conservation District

Storm water quality post construction is addressed in the current Stark County Storm Water Quality Regulations. These regulations pertain to the treatment of storm water runoff from developed sites for the first $\frac{3}{4}$ inch of rainfall from a 24 hour rain event. Any earthmoving project that disturbs 1 acre or more of earthen area or less than 1 acre if part of a larger common plan of development or sale is required to incorporate appropriate water quality post construction measures. Acceptable structural BMPs are based on the most current Ohio EPA water quality practices. Appropriate practices will be designed based upon specific site conditions, watershed area, site soils and the receiving stream or ditch. Design criteria must follow the Ohio Environmental Protection Agency General Construction Permit and the Stark County Storm Water Quality Regulations. Construction of road projects and road improvement projects may use post construction practices that comply with the current edition of the Ohio Department of Transportation's Location and Design Manual Volume 2 Drainage Design. Requirements pertaining to the conveyance of and volume control of storm water runoff is given in the Stark County Subdivision Regulations and reviewed by the County's Subdivision Engineer.

In addition, riparian setbacks will be researched as a possible nonstructural water quality BMP as well as conservation development. Also, a low impact development ordinance has been drafted and is under review for adoption by interested MS4s in Stark County.

Success of this control measure will be evaluated annually by documenting the number of sites that require water quality post construction. Also, riparian setbacks, conservation and low impact development ordinances adopted will be noted.

BMP No. 3 – Site Plan Review Procedures

Responsible Party - Stark County Soil & Water Conservation District

A Storm Water Pollution Prevention Plan (SWPPP) must be approved prior to any site starting earthwork for any project that disturbs 1 acre or more of earthen area. Such a SWPPP must include storm water quality post construction BMPs. Reviews for road projects are submitted by the County Engineers Office if the project meets the acreage requirements. A copy of the procedure for plan submittal and check list are available for printing and review on the Stark County Soil and Water Conservation District's web site www.starkswcd.org.

In addition, education workshops will be offered on an annual basis encompassing a variety of water quality topics including one on OHC000005 Table 4b practices and/or other green infrastructure practices. These will be posted in the Stark County Soil and Water Conservation District's newsletter and web site.

Success of this control measure will be evaluated by documenting the number of applicable sites requiring post construction BMPs and the number of plans reviewed. Also, the number of attendees at each of the workshops held will be documented.

BMP No. 4 – Site Inspection Procedures

Responsible Party - Stark County Soil & Water Conservation District

Designated staff members will oversee the review and inspection of all storm water quality post construction BMPs as listed in the Ohio EPA's General Construction Permit. An Individual Memorandum of Understanding outlines the extent of these inspections. Underground structures will be inspected and maintained by the party listed in the Long Term Maintenance Plan with reports sent to Stark County Soil & Water Conservation District staff for review.

Success of this control measure will be evaluated by documenting the number of inspections completed annually of post construction storm water quality BMP's.

BMP No. 5 – Enforcement Procedures

Responsible Party - Stark County Soil & Water Conservation District

Designated staff members will be responsible for informing the responsible party of any deficiencies of a water quality practice as well as the MS4 operator. The MS4 Operator will be responsible for enforcing any maintenance concerns noted. Other enforcement options will be investigated over the permit term to ensure maintenance compliance.

Success of this control measure will be evaluated by documenting the number of violation letters sent, the number of enforcement sites and how each violation was resolved.

BMP No. 6 – Long Term Operation and Maintenance Plans and/or Agreements**Responsible Party - Stark County Soil & Water Conservation District**

Long term maintenance is required for any structural and non-structural BMP per the Ohio EPA's General Construction Permit and the Stark County Water Quality Regulations. Maintenance requirements, inspection frequency and name and number of the responsible party must be included in the long-term operation & maintenance plan. Example plans are available on Stark County Soil & Water Conservation District's web site. The long-term maintenance requirements are given in the regulations as well as on Stark County Soils & Water Conservation District's web site. Inspections will be completed by Stark County Soil & Water Conservation District's staff through a Memorandum of Understanding (MOU) with the county.

Success of this control measure will be evaluated by documenting the number of sites requiring long term maintenance plans and number of plans approved annually.

BMP No. 7 – One of items b-e pg. 17 of the general permit OHQ000004.**Responsible Party - Stark County Commissioners and Stark County Soil & Water Conservation District**

Because Stark County has watersheds that have been identified for Total Maximum Daily Limits of two pollutants, specifically Total Phosphorus and E-coli, our Post Construction SWM in New Development and Redevelopment program will include one of the following items to be completed within the permit period:

- Retrofit one (1) existing storm water practice that solely provides a peak discharge function to meet the performance standard for an extended detention post-construction practice in accordance with OHC000005 Table 4a or 4b; or
- Perform restoration of at least three hundred linear feet of channelized stream where natural channel stability and floodplain restoration will reduce stream erosion; or
- Update our ordinance or other regulatory mechanism to require OHC000005 Table 4b practices and/or other green infrastructure practices where feasible; or
- Install one (1) or more OHC000005 Table 4b practices to treat a minimum of 1 acre of existing impervious area developed prior to 2003.

Section IX - Pollution Prevention and Good Housekeeping for Municipal Operations

BMP No. 1 – Employee Training Program

Responsible Party - Stark County Engineer

- Conduct a training program for the County Engineer's employees. The purpose of the program is to ensure that all employees involved in the maintenance of roadway and storm water conveyance systems are properly trained on how to implement the best methods for preventing and reducing storm water pollutants from municipal operations. Topics to include but not limited to ditch cleaning, vehicle maintenance, salt management, pesticides, new construction and land disturbances, storm water system maintenance, etc. using training materials available from the Ohio EPA, County Engineers Association and other sources. At least one session will be target for each of the two Total Maximum Daily Limits for Stark County, specifically Phosphorus and E-Coli, with topics such as identifying and reporting failed septic systems and proper fertilizer use.
- The success of this best management practice will be evaluated by documenting the name of each employee attending a training session. The number of sessions held throughout the year will also be documented as well the topic(s) covered and a copy of the agenda and any materials used for the training.

BMP No. 2 – Maintain and Implement Storm Water Pollution Prevention Plan (SWP3)

Responsible Party - Stark County Engineer

- The County Engineer's main facility located at 5165 Southway Street, Canton, Ohio 44706 was previously determined as the one facility owned and operated by the County, which required a storm water pollution prevention plan. The purpose of the plan is to reduce or eliminate pollutants from this facility.
- Update and maintain the storm water pollution prevention plan on an annual basis.
- Implement the storm water pollution prevention plan, which describes a program of maintenance activities, proper storage of materials, proper wastes disposal, etc. that addresses any potential pollutants discharging off the facility's site.
- We will conduct quarterly routine facility inspections for the SWP3 facility. We will document the findings of each inspection performed and maintain this documentation onsite with our SWPPP. At a minimum, our documentation of the facility inspection shall include:
 - The inspection date and time;
 - The name(s) and signature(s) of the inspector(s);
 - Weather information and a description of any discharges occurring at the time of the inspection;
 - Any previously unidentified discharges of pollutants from the site;
 - Any control measures needing maintenance or repairs;
 - Any failed control measures that need replacement;
 - Any incidents of failure to implement your SWPPP observed;
 - Any additional control measures needed.

BMP No. 3 – Storm Water Conveyance System Maintenance Program

Responsible Party - Stark County Engineer

- Visually inspect and maintain the County owned and operated storm water conveyance system within the County road right-of-ways. Document the day and location each inspection is performed. Document the number of manholes, catch basins, storm sewers, culverts, ditches, etc. that were cleaned and any corrective actions taken that were required. Document the amounts of waste removed from the system as well as how it was temporarily stored and disposed of.
- Maintain a listing of all County owned and operated, permanent water quality best management practices that were part of past roadway projects requiring a long-term storm water management plan addressing post-construction runoff. Visually inspect and maintain each water quality feature in accordance with the plan. Document the day and location of each inspection performed as well as what maintenance or other corrective actions were required. Document the amounts of any wastes removed as well as how they were temporarily stored and disposed of.
- Any revisions or improvements to the storm water conveyance system will be documented and the County's storm water conveyance system map updated accordingly.

BMP No. 4 – Highway Maintenance Program

Responsible Party - Stark County Engineer

- Road Salt: Road salt storage facilities and application methods will be evaluated annually to determine best methods for minimizing impacts to storm water runoff. Salt storage facilities will be evaluated to assess whether runoff from the area immediately surrounding the storage and salt truck loading areas can be modified to help prevent discharge of salt to adjacent surface waters. All salt storage facilities currently already have domed/covered storage and the brine storage facilities have bollards installed to protect them from vehicle strikes, which meets or exceeds the requirements of OHQ000004. The success of this part of the best management practice will be evaluated by documenting the amounts of salt applied and ensuring proper salt storage at all facilities.
- Pesticide and Herbicide Usage-Inventory: The use of any pesticides and herbicides used within county road right-of-ways will be monitored to insure the proper use of pesticides and herbicides. The success of this part of the best management practice will be evaluated by tracking the types and amounts of chemicals applied as wells as verifying that the applicator has up-to-date state certification.
- Insure that the use of any fertilizer on new projects follows the application rate given by the manufacturer. The day, location and amount of any fertilizer used shall be documented.
- Street Sweeping: Sweep each road maintained by the county at a minimum of once a year for curbed streets to minimize the amount of trash and other pollutants that could be transferred into the storm water conveyance system. County roads are normally swept in the spring after deicing salt has been applied for the last time. Success of this part of the best management practice will be documented by

tracking locations of roads swept, amount of material collected as well as how it was temporarily stored and disposed of.

BMP No. 6 – Flood Management Projects

Responsible Parties - County Commissioners and the County Soil & Water Conservation District

- Implement a program to incorporate water quality controls into any new flood management projects as well as evaluating the feasibility of additional water quality controls being incorporated into existing flood management projects. The success of this BMP will be measured by the number of projects reviewed and built that have incorporated water quality features and the number of existing flood control structures that have been modified for water quality.

BMP No. 7 – Ditch Maintenance Program

Responsible Parties – Stark County Engineers

- Within two years of the effective date of this permit, the Stark County Engineers will implement soil stabilization to the Ditch Maintenance Program. Stabilization of disturbed ditches within the MS4 maintenance areas will be initialized according to the following time table:

Stark County MS4 Ditch Maintenance Areas	Timeframe to Initiate Soil Stabilization
NOT within 50 feet of a surface water of the State	Within 7 days of reaching final grade or within the first 7 days if a disturbed area will remain inactive for over 14 days.
Within 50 feet of a surface water of the State	Within 2 days of reaching final grade or within the first 2 days if a disturbed area will remain inactive for over 14 days.

APPENDIX A
Ohio EPA Issued Facility
Permit No. 3GQ00120*DG



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

Apr 16, 2021

STARK COUNTY BOARD OF COMMISSIONERS
JOSEPH E UNDERWOOD
SUITE 240-110 CENTRAL PLAZA S
CANTON, OH 44702

Re: Approval Under Ohio EPA National Pollutant Discharge Elimination System (NPDES) - Small MS4 General Permit - OHQ000004

Dear Applicant,

Your NPDES Notice of Intent (NOI) application is approved for the following facility/site. Please use your Ohio EPA Facility Permit Number in all future correspondence.

Facility Name:	STARK COUNTY
Facility Location:	SUITE 240-110 CENTRAL PLAZA S
City:	CANTON
County:	STARK
Township:	
Ohio EPA Facility Permit Number:	3GQ00120*DG
Permit Effective Date:	Apr 16, 2021
Permit Expiration Date:	Mar 31, 2026

Please read and review the permit carefully. The permit contains requirements and prohibitions with which you must comply. Coverage under this permit will remain in effect until a renewal of the permit is issued by the Ohio EPA.

A copy of the general permit may be viewed or downloaded from the following web address: <http://epa.ohio.gov/dsw/permits/gpfact.aspx>
To view your electronic submissions and permits please Logon in to the Ohio EPA's eBusiness Center at <http://ebiz.epa.ohio.gov>.

If you need assistance or have questions please call (614) 644-2001 and ask for Small MS4 General Permit support or visit our website at <http://www.epa.ohio.gov>.

Sincerely,

A handwritten signature in black ink that reads "Laurie A. Stevenson". The signature is written in a cursive, flowing style.

Laurie A. Stevenson
Director



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

Jun 29, 2021

Stark County Engineer
Keith Bennett
5165 Southway Street SW
Canton, OH 44706

Re: Approval for Coverage Under Ohio EPA - Small MS4 General Permit - OHQ000004

Dear Co-Permittee Applicant,

The Ohio Environmental Protection Agency has received your application for coverage under the above referenced general permit you submitted for:

Notice of Intent (NOI) submitted by:	STARK COUNTY BOARD OF COMMISSIONERS
Co-Permittee NOI submitted by:	Stark County Engineer
Facility Name:	STARK COUNTY
Facility Location:	SUITE 240-110 CENTRAL PLAZA S
City:	CANTON
County:	STARK
Township:	
Ohio EPA Facility Permit Number:	3GQ00120*DG
Co-Permit Effective Date:	Jun 29, 2021

You are approved as a Co-Permittee for coverage under the above referenced Ohio EPA general permit. Please use the Ohio EPA facility permit number above in all future correspondence. You can terminate your Co-Permittee coverage but only the initial NOI applicant may terminate this Ohio EPA Facility Number.

Please familiarize yourself with your general permit. The permit contains requirements and prohibitions with which you must comply. Coverage remains in effect until you terminate your Co-Permittee coverage or the initial NOI applicant terminates this Ohio EPA Facility Permit Number. Co-Permittees are covered under this same facility permit number as the applicant that submitted the initial NOI.

To view your electronic submissions and permits please Logon in to the Ohio EPA's eBusiness Center at <http://ebiz.epa.ohio.gov>.

If you need assistance or have questions please call (614) 644-2001 and ask for Small MS4 General Permit support or visit our website at <http://www.epa.ohio.gov>.

Sincerely,

Laurie A. Stevenson
Director

APPENDIX B

Sharing Responsibility Agreements

Resolution

Distribution

Stark County Commissioners

RPC
Journal

Adopted December 1, 2021

Subject **A Resolution approving the Storm Water Management Services Agreement with the Stark County Regional Planning Commission.**

Commissioner Cleighton moved for the adoption of the following Resolution which was seconded by Commissioner Regula:

Whereas, the Stark County Board of Commissioners needs services to comply with requirements related to storm water management; and

Whereas, The Board is desirous of using the services of the Stark County Regional Planning Commission to provide these services for the citizens of Stark County; and

Whereas, this agreement shall be for the period of January 1, 2022 and ending December 31, 2022.

Now Therefore Be It Resolved that this Board of Commissioners hereby authorizes itself to sign for the subject services with Stark County Regional Planning Commission, which is incorporated herein by reference and made part hereof the same as though rewritten herein in full.

Upon roll call the vote resulted as follows:

Mr. Smith - yes Mrs. Creighton - yes Mr. Regula - yes

C-E-R-T-I-F-I-C-A-T-E

I, the undersigned, hereby certify the foregoing to be a true and correct record of the Resolution adopted by the Board.

Richard Flory

AGREEMENT FOR STORM WATER
MANAGEMENT SERVICES

This Agreement entered into this 1 day of December, 2021 by and between the Board of Stark County Commissioners (hereinafter referred to as the "Board") and the Stark County Regional Planning Commission (hereinafter referred to as the "RPC")

WITNESSETH:

WHEREAS, the Board is in need of services to comply with the requirements of the Ohio Water Pollution Control Act as implemented by the Ohio Environmental Protection Agency; and

WHEREAS, it is required that a Public Education Program and Public Involvement/Participation Program be implemented to educate the public concerning the impact of storm water discharges on water bodies and the reduction of pollutants in storm water runoff; and

WHEREAS, it is required that this Board prepare an annual report for Stark County's Storm Water Management Program; and

WHEREAS, the RPC has the services of a professional engineer and other staff needed to provide the services as set forth within this agreement; and

WHEREAS, the Board is desirous of using the services of the RPC to provide these storm water management services for the citizens of Stark County.

NOW, THEREFORE, in consideration of the mutual promises as set forth herein, the parties hereto agree as follows:

1. The RPC agrees to provide the Board with storm water management services including, but not limited to, providing engineering services on projects as required by the Board.
2. The RPC will provide services related to the National Pollutant Discharge Elimination System (NPDES) and "small" municipal separate storm sewer system (MS 4) compliance, including the submission of the annual reports on behalf of the Board.
3. Additionally, the RPC will conduct the activities outlined under Section 3.2.1 "Public Education and Outreach on Storm Water Impacts" and 3.2.2 "Public Involvement/Participation" of NPDES Permit No: OHQ000003.
4. Additionally, the RPC will keep the storm water conveyance system map up to date and perform dry weather field screening of all outfalls from the system as outlined under Sections 3.3.b and 3.3.e.iv "Illicit Discharge Detection and Elimination" of NPDES Permit No. OHQ000003.
5. The RPC, as called upon by the Board, and in furtherance of Environmental Protection Agency (EPA) regulations will provide the mapping of storm water discharge locations and sites.
6. The RPC will furnish to the Ohio Environmental Protection Agency any records as requested to determine compliance with the permitting requirements.
7. The RPC shall employ and compensate the persons necessary to provide the above-referenced functions. Such persons shall be appointed, supervised and in all matters be governed by the RPC and its personnel policies.
8. The Board agrees to pay to the RPC the following reimbursable expenses:
 - a. Direct hourly rate of employees engaged in the provision of the foregoing services based upon the established wages and salaries for such employees as adopted by the RPC.
 - b. Fringe benefits and indirect costs for Item A.
 - c. All other direct expenses related to the provision of storm water management services.
 - d. The RPC shall submit monthly invoices to the Board who will review, approve and process for payment.
 - e. In the event that the Board's funding source for compliance with this Agreement ceases for any reason, the Board shall immediately notify RPC of said lack of funds, and this Agreement is terminated. The RPC will not be responsible for performing any further work pursuant to this Agreement, and the Board shall pay the RPC for the work completed to that date.

8. This Agreement shall expire on December 31, 2022, and be renewed yearly.
9. The RPC will not discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, age, ancestry, or national origin.
10. Either party may terminate this Agreement upon the giving of 90 days written notice to the other party of such termination.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year set forth below.

WITNESSED BY:

Richard Flory

THE BOARD OF COUNTY COMMISSIONERS
OF STARK COUNTY, OHIO

BY: Janet Weir Creighton

BY: Richard Regula

BY: William Smith

12-1-2021
Date Signed

WITNESSED BY:

John Gustin

STARK COUNTY REGIONAL PLANNING
COMMISSION

BY: Kris Vincent
Kris Vincent, President

11/9/21
Date Signed

Approved as to legal form and sufficiency

John Anthony
John Anthony, Staff Attorney

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Deborah A. Adams
ASST PROSECUTING ATTORNEY

Resolution

Distribution

Stark County Commissioners

Soil & Water Conserv.
District
File

Adopted January 29, 2020

Subject **A Resolution Approving a Memorandum of Understanding between the Stark Soil & Water Conservation District and the Board of Stark County Commissioners for assistance in satisfying certain requirements of the MS4 Operator's Ohio EPA National Pollutant Discharge Elimination System Small MS4 Storm Water Discharge Permit.**

Commissioner Smith moved for the adoption of the following Resolution which was seconded by Commissioner Creighton:

Whereas, the Board of Commissioners are in need of services for technical assistance in satisfying certain requirements of the MS4 Operator's Ohio EPA National Pollutant Discharge Elimination System Small MS4 Storm Water Discharge Permit, and

Whereas, the Stark County Soil & Water Conservation District has proposed to provide said assistance and has prepared a Memorandum of Understanding for consideration by the Board of Commissioners to satisfy certain requirements of the MS4 Operator's Ohio EPA National Pollutant Discharge Elimination System Small MS4 Storm Water Discharge Permit.

Now Therefore Be It Resolved that this Board of Commissioners hereby authorizes President of the Board to sign the Memorandum of Understanding for the subject services with the Stark County Soil & Water Conservation District, which Memorandum of Understanding is incorporated herein and made a part hereof, as though rewritten in full.

Upon roll call the vote resulted as follows:

Mr. Smith - yes Mrs. Creighton - yes Mr. Regula - yes

C-E-R-T-I-F-I-C-A-T-E

I, the undersigned, hereby certify the foregoing to be a true and correct record of the Resolution adopted by the Board.

Richard Flory

Memorandum of Understanding between the Stark County Commissioners and Stark County [Ohio] Soil & Water Conservation District for Technical Assistance



Upon this 29th day of January, 2020, this Memorandum of Understanding is entered into by and between Stark Soil & Water Conservation District (herein referred to as "the District"), and the Stark County Commissioners (Municipal Separate Storm Sewer System Operator - herein referred to as "the MS4 Operator"). This Memorandum shall be effective for a period of 5 years from the date above and retroactively to December 31, 2019, with no cost increase.

Recognizing the need for effective relationships and assistance in satisfying certain requirements of the MS4 Operator's Ohio EPA National Pollutant Discharge Elimination System (NPDES) Small MS4 Storm Water Discharge Permit (herein referred to as "Small MS4 Permit");

- Storm water education for the development community and potentially other target audiences per Minimum Control Measure (MCM) 1: Public Education and Outreach on Storm Water Impacts;
- Potential public involvement/participation activities per MCM 2: Public Involvement/Participation;
- Responding to illicit discharges to the MS4 per MCM 3: Illicit Discharge Detection and Elimination within Active Construction sites;
- Storm Water Pollution Prevention Plan (SWP3) reviews, construction site inspections, and enforcement for compliance with storm water quality regulations; and consideration of information submitted by the public (complaint process) per MCM 4: Construction Site Storm Water Runoff Control;
- SWP3 reviews, construction site inspections, post-construction storm water Best Management Practice (BMP) Long-Term Maintenance Plan reviews, long-term post-construction BMP inspections, and enforcement for compliance with storm water quality regulations per MCM 5: Post-Construction Storm Water Management in New Development and Redevelopment;
- Conduct yearly staff training per MCM 6: Good Housekeeping / Pollution Prevention for Municipal Operations
- Assist with any audit completed by Ohio Environmental Protection Agency as it relates to the MS4 Operator's Small MS4 permit;
- Assist with completion of MS4 Operator OEPA Annual Report on a yearly basis; and
- Support the MS4 Operator with any required changes that may take place with either their Storm Water Management Plan or Small MS4 Permit

The MS4 Operator and the District accept this agreement as the document which describes the process for exchange. Cooperation between these two units of government facilitates solutions to problems encountered by the MS4 Operator as it plans for development, conservation of its environment, as well as storm water quality improvements per EPA's mandated requirements.

What the District will do:

1. **Review of Storm Water Quality Regulations:** The District will periodically review the MS4 Operator's Storm Water Quality Regulations and advise the MS4 Operator where revisions may need to occur to ensure compliance with MCM 4 and MCM 5 requirements of the current Small MS4 Permit and Ohio EPA Construction Storm Water Discharge General Permit. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.
2. **Inclusion in Site Plan/Project Review Process:** The District will be included as a part of the MS4 Operator's site plan/project review process when proposed projects will result in the disturbance of at least one acre of land (or less than one acre if part of a larger common plan of development that is greater than or equal to one acre of land-disturbance) in the MS4 Operator's jurisdiction. In such cases, the District will review corresponding SWP3s for compliance with current storm water quality regulations. Approval of SWP3s by the District will be required for overall approval of the site plan/project by the MS4 Operator. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.
3. **Verification of Notice Of Intent (NOIs) and SWP3 reviews:** The District will review the Ohio EPA NOI Database on a monthly basis to ensure consistency between the number of NOIs for applicable sites within the MS4 Operator's jurisdiction and the corresponding number of SWP3 reviews by the District. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.
4. **Site Inspections:** Unless inspection priorities and procedures are otherwise documented, the District will routinely inspect (minimum of once per month) all "active sites" in the MS4 Operator's jurisdiction for compliance with storm water quality regulations and prepare inspection reports. "Active sites" are considered those in which an NOI has been filed with Ohio EPA, an SWP3 has been approved by the District, and construction activities are regularly occurring. Copies of all inspection reports will be sent to the MS4 Operator, reporting the status of compliance of the sites with applicable regulations. Such routine inspection and reporting will continue for "active sites" until the District is satisfied of project completion and final stabilization. At such time, the District will notify project representatives that said representative may submit a Notice Of Termination (NOT) to Ohio EPA. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.
5. **Public Complaint Response:** The District will address public complaints in accordance with Illicit Discharge Detection & Elimination response protocol and pertaining to active sites and BMPs by site investigation, letter, and/or phone call. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM3, MCM 4, and MCM 5.
6. **Record Maintenance:** The District will maintain copies of SWP3s, project plan review and site/BMP inspection correspondence, and post-construction BMP Long-Term Maintenance Plans for applicable projects and BMPs within the MS4 Operator's jurisdiction. The District will require copies of approved SWP3s and Long-Term Maintenance Plans to be submitted to the MS4 Operator's Engineering Department. The

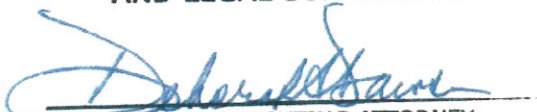
District will also provide copies of plan review and site/BMP inspection correspondence to the MS4 Operator's Engineering Department. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.

7. **Enforcement:** The District will provide enforcement to the level of authority granted by the MS4 Operator for violations of applicable storm water quality regulations. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 3, MCM 4, and MCM 5.
8. **Long-Term Post-Construction BMP Inspections:** For sites within the MS4 Operator's jurisdiction in which the District has notified project representatives that said representative may submit a NOT to Ohio EPA, the District will inspect applicable post-construction BMPs on a yearly basis. Accordingly, the District will inform the responsible entity/operator (i.e. the person/parties named in the post-construction Long-Term Maintenance Plan) and MS4 Operator in writing of any required maintenance. The District will require inspection reports from the responsible entity/operator for any "alternative structural BMPs" (manufactured/alternative/proprietary). If applicable maintenance items are not completed by the responsible entity/operator in the timeline given by the District, the District will then notify the MS4 Operator in writing so that the MS4 Operator can take the appropriate actions to ensure the "adequate long-term operation and maintenance of BMPs" that discharge to the MS4 per MCM 5 requirements of the Small MS4 Permit. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 5.
9. **Storm Water Education for the Development Community:** The District will offer applicable training materials and/or workshops pertaining to construction site runoff control and post-construction storm water quality for local officials, staff, engineers, contractors, developers, and Homeowners Associations who will be responsible for the design, coordination, construction, and/or maintenance of storm water quality BMPs. The District will ensure staff receives appropriate on-going education and training for the latest standards and specifications for construction site and post-construction storm water quality management, as well as other storm water-related topics. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 1.
10. **Other Storm Water Education:** The District may offer various types of storm water education to the general public or other target audiences, as feasible. If implemented, this may assist the MS4 Operator in compliance with certain requirements/expectations of MCM 1.
11. **Public Involvement/Participation Activities:** The District may conduct various types of storm water-related activities that include public involvement/participation, as feasible. If implemented, this may assist the MS4 Operator in compliance with certain requirements/expectations of MCM 2.
12. **Annual Reporting Information:** At the end of every year, the District will furnish to the MS4 Operator information relating to the District's responsibilities as described herein and as required to complete appropriate sections of the MS4 Operator's Storm Water Management Program Annual Report. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 1, MCM 2, MCM 3, MCM 4, MCM 5, and MCM 6 as applicable.

What the MS4 Operator will do:

1. **Adoption of Storm Water Quality Regulations:** The MS4 Operator will ensure that storm water quality regulations are adopted that are in conformance with requirements of MCM 4 and MCM 5 of the current Small MS4 Permit. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.
2. **Inclusion of the District in Site Plan/Project Review Process:** The MS4 Operator will include the District as a part of its site plan/project review process when proposed projects in the MS4 Operator's jurisdiction will result in the disturbance of at least one acre of land (or less than one acre if part of a larger common plan of development that is greater than or equal to one acre of land-disturbance). In such cases, the MS4 Operator will ensure that the District receives and reviews corresponding SWP3s for compliance with current storm water quality regulations. The MS4 Operator will not grant overall approval of respective site plans/projects without approval of the SWP3 by the District. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.
3. **Authorize the District to Perform Inspections:** The MS4 Operator will grant the District authorization to inspect applicable project sites and BMPs within the MS4 Operator's jurisdiction as is necessary in accordance with Illicit Discharge Detection & Elimination response protocol and to ensure compliance with storm water quality regulations, approved SWP3s, and post-construction BMP Long-Term Maintenance Plans. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 3, MCM 4, and MCM 5.
4. **Authorize the District to Conduct Certain Enforcement Actions:** The MS4 Operator will grant the District authorization to issue a Notice Of Violation (NOV) to project representatives or other responsible parties for violations in accordance with Illicit Discharge Detection & Elimination response protocol and applicable storm water quality regulations and relating to the responsibilities of the District as described herein. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM3, MCM 4, and MCM 5.
5. **Environmental Protection and Consideration of District Recommendations:** The MS4 Operator will recognize the environmental and economic functions of open spaces such as wetlands, stream corridors, flood plains, ravines, woodlands, and open fields as worthy of protection and consider low impact development and less impervious areas as development options. The MS4 Operator will adopt, apply, and enforce District recommendations when the MS4 Operator deems them technically feasible and economically reasonable solutions to resource management and conservation problems. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


ASST. PROSECUTING ATTORNEY

6. **Direct Development Community to the District:** The MS4 Operator will direct builders, developers, and consultants to the District for assistance in respective planning, conservation, and permitting concerns and questions early in the land development and planning cycle. This assists the MS4 Operator in compliance with certain requirements/expectations of MCM 4 and MCM 5.

Agreed Procedures:

1. The District and the MS4 Operator shall meet yearly to review the effectiveness of this agreement, coordinate individual and joint progress, and exchange information.
2. The MS4 Operator recognizes the District's obligation to make its plan review correspondence, inspection reports, and other written materials available to the public upon request in accordance with the Ohio Public Records Act.
3. The MS4 Operator shall offer the District a yearly conservation appropriation in the amount of **\$5,000.00** at a set rate for **5 years** to support the District's Urban Program. These appropriations will be billed in January of each year and must be paid within 60 days of receipt. In the event that the MS4 Operator's funding source for compliance with this contract ceases for any reason, the MS4 Operator shall notify the District immediately and meet to review funding solutions or terminate the MOU.
4. The District and the MS4 Operator shall ensure that both parties have the same sets of records pertaining to applicable projects. These records include, but are not limited to: site plans, construction plans, SWP3s, Storm Water Management Reports and calculations, and Long-Term Maintenance Plans.
5. This agreement may be amended or terminated at any time by mutual consent of both units of government or terminated by either party giving sixty (60) days notice in writing to the other.

In witness thereof, this Agreement is executed and agreed to on the date entered above by:

MS4 Operator

Name (print) Richard Regula
Signature [Signature]
Title PRESIDENT
Date 1-29-2020

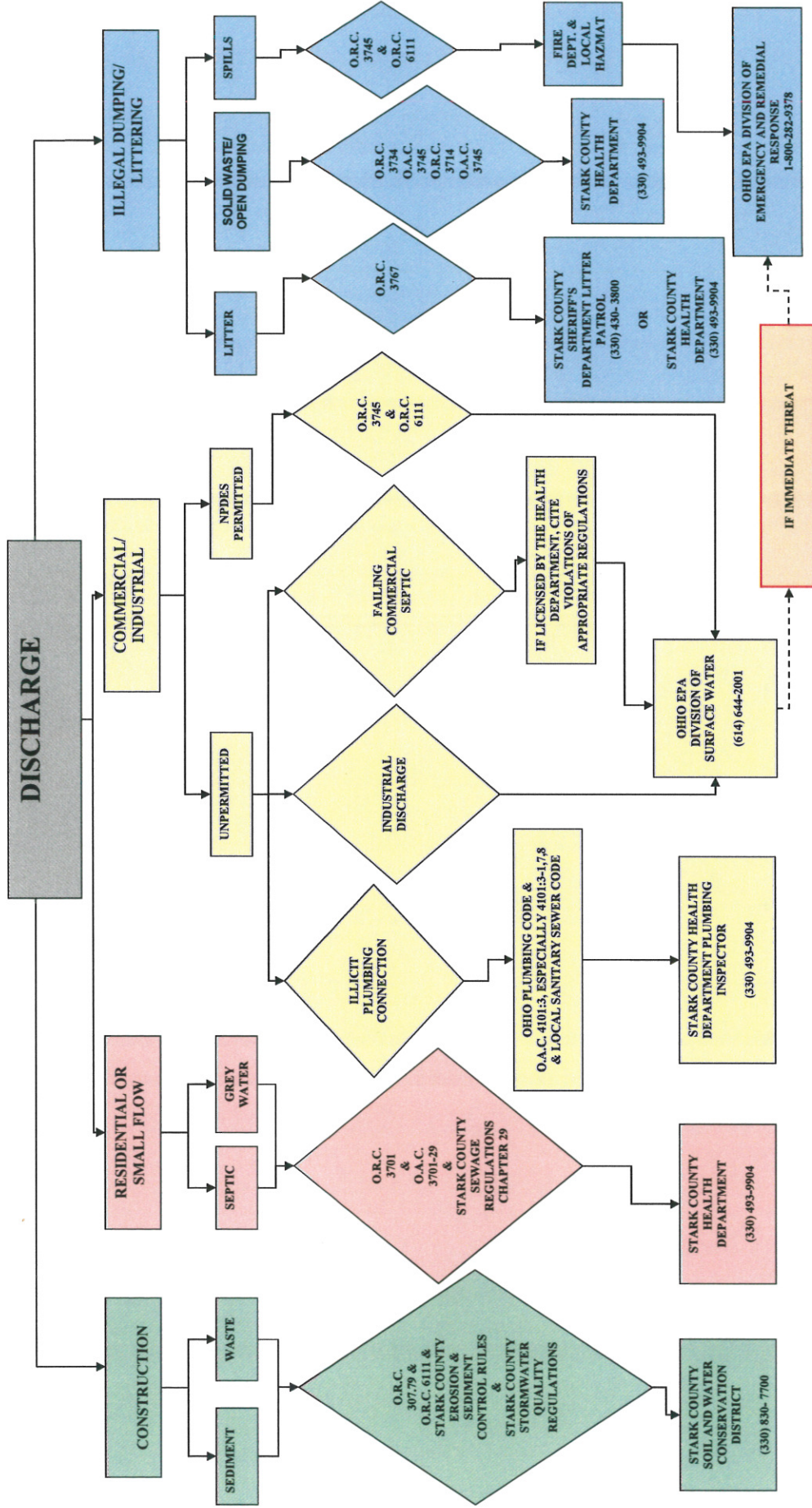
**Stark Soil & Water
Conservation District**

Name (print) Ann Wolfe
Signature [Signature]
Title Vice-Chair
Date 2-12-20

All services of the District, ODA and the USDA Natural Resources Conservation Service are offered on a non-discriminatory basis without regard to race, color, national origin, religion, age, marital status or handicap.

APPENDIX C

**Illicit Discharge Detection and
Elimination Flow Chart**



STARK COUNTY SWMP ILLICIT DISCHARGE DETECTION AND ELIMINATION PROTOCOL 2022

APPENDIX D

Stark County Health Department

Nuisance Policy

The Stark County Health Department Nuisance Policy

Phase II Storm Water Discharges and Spills

It is important to clearly understand the different types of illicit discharges so that individuals can take the necessary steps for elimination. This includes frequency of discharge and surrounding land use issues. Per the Cuyahoga County Illicit Discharge Detection and Elimination Manual (2006), illicit discharges can be separated into three (3) categories based on frequency of discharge:

1. Transitory Illicit Discharge: These are typically a one-time event. They can result from spills, dumping, and line breaks. These types of discharges are often the most difficult to investigate and trace back to their source. Methods for reducing this type of discharge are to: educate the public on storm water and illicit discharges; establishment of a “hotline” telephone number for the public to call if any discharges are observed; and education of the communities’ investigative responses to sources of illicit discharges.

2. Intermittent Illicit Discharge: These are typically discharges that occur occasionally. They can occur several hours per day, week or over the course of a year. They can happen as the result of line breaks, cross connections, wash water discharges, or intermittent releases into a commercial business storm drain. Again, the establishment of a “hotline” telephone number for the public to call if any discharges are observed is recommended.

3. Continuous Illicit Discharge: These direct connections into the MS4 can be from sanitary sewers, cross connections, infrastructure problems with a sanitary sewer system, or malfunctioning household sewage treatment systems (HSTS). This type of discharge is the easiest to find, investigate, trace and eliminate from the MS4. These types of discharges also have the greatest impact because of the constant pollutant loading into a water body.

When differentiating between a spill and a discharge, the following definitions will be used:

1. Spill: When used with reference to a pollutant, means a discharge, into the natural environment from or out of a structure, vehicle or other container, and that is abnormal in quality or quantity in light of all the circumstances of the discharge.

2. Discharge: Any direct or indirect release to an MS4 that is not composed entirely of storm water, except for those releases pursuant to a NPDES permit.

Spills are a type of discharge, but due to their increased threat to public health or the environment, are handled more cautiously and promptly. It is likely that spills will be transitory or intermittent types of discharges; when a spill is encountered follow section [B].

Transitory and Intermittent Illicit Discharges

1. [A] During the site inspection the following must be documented:

- I. Gather information. If the owner is present, or the person who caused the discharge, determine the type of contamination.
- II. The responsible party's name, address, and phone number.
- III. Determine if the discharge represents an immediate threat (see definitions), and if so handle as outlined below in Spills. If not, continue to letter [C].

[B] Spills:

- I. Though spills may be identified in various ways. It is likely that most spills will be reported via telephone. Spills not reaching the threshold of reporting required by the OEPA may be handled by the Health Department. See the document entitled, "Release Reporting of a Hazardous Substance" for reporting criteria. First, as much information as possible should be collected during the first phone call (or upon finding a spill during inspection.) If insufficient information is available, other individuals involved with the spill should be contacted, so a complete picture of the incident can be obtained. If MSDS sheets are available, they should also be collected. If the spill seems to be an immediate threat to health, the individuals involved should be warned to **GET OUT OF THE AREA, and RESTRICT ACCESS TO THE PUBLIC.** Regardless of the type or size of spill, they should **BE WARNED OF THEIR STATUTORY RESPONSIBILITY TO REPORT SPILLS TO THE OEPA.**
- II. Upon collecting the necessary information, the appropriate agencies should be contacted for response to the incident. This may include: local fire department, police or sheriff, HAZMAT or OEPA
OEPA Spill Hotline at **1-800-282-9378**).
- III. If the spill is minor in nature, and after consultation with OEPA, (when necessary), it is decided that the Health Department should follow-up, do the following and continue to letter [C] below.
 - Use caution and the appropriate PPE.
 - Take pictures of the contamination and site.
 - Document recommendations/findings.
 - If the responsible party is not present, leave an orange official notice card marked "Illegal discharge to storm sewer."

[C] Discharges: Instruct the responsible party to clean up the contamination, if they can do so safely, or utilize a private contractor.

[D] Within three (3) business days issue notice of violation to the offender and include an informational packet on illicit discharges. If the source of contamination is unknown, educational material can be distributed to homes/businesses that are affected or could be

the source. Follow up under the nuisance policy guidelines and the MS4 enforcement flow chart. Timeframes for correction may be adjusted based on the type of contamination, severity, and with supervisor permission.

[E] Enter the information collected into the MS4 Software.

[F] If it is a repeated Intermittent Discharge (i.e. there are multiple responses at the same address), complete procedures [A-D], and then follow the procedures for environmental nuisances starting at Page 5 and the MS4 enforcement flow chart.

Continuous Illicit Discharge

1. [A] See Procedures for Environmental Nuisances and MS4 enforcement flow chart.

Procedure for Environmental Nuisances:

[A] After receiving a **signed** complaint form, the following information must be entered into HDIS: location, complaint, the property owner's name, address and phone number, complainant's name, address and phone number, program number and description, type of complaint, inspector's name, political subdivision and date received.

- I. The information provided by the complainant should be checked to assure accuracy, including property owner name, address and phone number etc. If the property is not occupied by the owner, the tenant must also be issued the order and all subsequent orders. If the property is owned by a corporation use the Secretary of State's website to determine the Statutory Agent. For more help in determining ownership or property information use the following websites:
<http://www.auditor.co.stark.oh.us/>
<http://www.engineer.co.stark.oh.us/>
http://www.co.stark.oh.us/internet/HOME.DisplayPage?v_page=recordr
<http://www.sos.state.oh.us/>

[B] A visit to the site of the alleged nuisance must be completed within three (3) working days to ascertain if the complaint is justified.

- I. If complaint is not justified, phone the complainant and explain the situation. Then send both the complainant and property owner letters stating the situation and mark file abate/complete in HDIS.
- II. If complaint is justified, contact the property owner by phone if possible, and explain the situation. Then send **SO (Sanitarian Order)** by regular mail to the property owner identifying the problems and methods of correction, including a time frame for re-inspection and abatement. Also, contact the complainant by phone if possible and explain the

situation and then send a copy of the SO to the complainant.

- III. If the nuisance involves a discharge or community wide sewage problem that is not entirely composed of storm water into a storm drain system, the location must be reported to Phase II personnel.
- IV. If the nuisance involves a licensed facility, refer to Resolution #4-2006 (Appendix J).

[C] **DOCUMENT! DOCUMENT!**

All inspections, phone conversations and in-person conversations with the property owner or complainant, must be logged in-detail in HDIS along with the date any letter was sent. After entering any new information to the file, print a copy and keep it with the hard file. Pictures are also helpful and must be labeled and dated and remain in the hard file. Any letters relating to this case, must be signed, copied and left in the hard file. Any certified mail stubs must be left in the hard file.

The date an order expires should be marked in a daily planner or tracked in HDIS so that an inspection may immediately follow.

[D] **Recommended Time Frames for Compliance**

Sewage Nuisances: allow the offender thirty (30) days to comply

Garbage Nuisances: allow the offender seven (7) days to comply

Solid Waste Nuisances: allow the offender thirty (30) days to comply

(In some cases, additional time may be needed and granted. Extensions are usually based on the size of the problem, weather, etc.)

Re-inspection:

[A] Within two (2) days of the SO compliance date, an inspection must be conducted.

- I. If the nuisance has been corrected, phone the complainant and explain. Then send a compliance letter to the owner and complainant. In the letter state that the nuisance has been abated and mark the file abated/completed in HDIS.
- II. If the nuisance has not been corrected, prepare a **PHO (Public Health Order)** within one week of inspection. The PHO should be addressed to the property owner and again include the problems and another time frame for compliance. The letter should be sent via regular or certified mail. Also call the complainant again explaining the situation and send them a copy of the PHO.
 - a. Before a **PHO** is sent it must be checked by the Unit Manager, Division Director and Prosecutor. The letter must then be signed and dated by the Health Commissioner. In some special cases the reviewers may opt to issue an Order from the Board of Health.

[B] Reasonable time extensions of the SO may be granted if justified by extenuating circumstances (when in doubt consult the Unit Manager). Such extension should be, at most, occasional and may range from ten (10) to fourteen (14) days. Any additional time beyond this extension must be approved by a Unit Manager and/or Division Director.

[C] Within two (2) days of the PHO compliance date, an inspection should be conducted.

- I. If the nuisance has been corrected, phone the complainant and explain, and then send a compliance letter to the owner and complainant. In the letter state that the nuisance is abated and mark file abated/completed in HDIS.
- II. If the nuisance has not been corrected, notify the complainant it will be forwarded to the prosecutor, by completing a complaint package.

[D] Summary of Orders **SO > PHO > Lawsuit/ Complaint Package**

Lawsuit:

[A] A Complaint Package must be compiled and reviewed by the Prosecutor.
The package should include all of the following:

- I. Complaint Preparation Form (Appendix E)
- II. Verification, must be signed and notarized on bond paper. (Appendix F)
- III. PHO copy

[B] Upon submission of the complaint package, the Prosecutor's office will prepare the formal complaint and notify the sanitarian of the court date and time.

Lawsuit Follow-up:

- [A] If the nuisance has not been corrected after the court allowed timeframe an affidavit, which is the basis for a motion to show cause for contempt of court must be prepared on bond paper and submitted to the Prosecutor's office (Appendix G).
- [B] Upon submission of the affidavit, the Prosecutor's office will prepare the contempt papers and notify the sanitarian of the second court date and time.

Other:

- [A] If a nuisance case is open for over a month, monthly correspondence with the complainant is necessary. In most cases a phone conversation is acceptable, and should be logged accordingly.

- [B] The majority of nuisance cases are handled in the above manner. However, if an imminent threat to public health exists, the Health Commissioner (or board) can issue orders for immediate abatement. If compliance is not obtained, a temporary restraining order or preliminary injunction can be sought through the Court.

APPENDIX E

Stark County Health District

HSTS Problem Areas



Environmental Health Department
Stark County Combined Health District

APPENDIX F
IDDE Program Evaluation Form

Stark County Health Department IDDE Program Evaluation Procedure

To effectively evaluate the program, a number of questions need to be asked and analyzed.

1. Evaluate priority areas within your community:
 - a. Were these areas identified initially?
 - b. Are these areas still appropriate to be a priority area?
 - c. Have illicit discharges been located in these areas?
2. Detection Program
 - a. Is the program effective? Need to reassess the program by determining what has been achieved. Look at number of outfalls inventoried, the number visually inspected, the number that had dry weather flows and look at the overall percentages of these flows as part of your overall storm sewer system for your community.
 - b. Cost effectiveness: What aspects of the program had the highest quality of effectiveness in relationship to cost?
 - c. Number of illicit discharges detected utilizing each detection method (will assist to see what method is more effective).
3. Tracing Program
 - a. What techniques were used?
 - b. Were these methods successful?
 - c. What techniques that were not used would be beneficial for next year?
 - d. How many illicit sources were identified and eliminated?
4. Other
 - a. If using water quality sampling, resample areas within community to determine effectiveness of the removal of illicit discharges.
 - b. Determine how much time was spent by employees and expenses to determine overall cost for achieving a given result.

Establish a Tracking and Reporting System

It is important that a tracking system be developed. This system is to track, report and respond to illicit discharge problems. This tracking system enables the community to measure the IDDE program effectiveness and assists with the evaluation of the overall IDDE program.