



THE LORAIN COUNTY STORMWATER MANAGEMENT DISTRICT

March 27, 2020

Board Members

Lorain County Commissioners

- Sharon Sweda
- Lori Kokoski
- Matt Lundy

James Cordes, Director

Don Romancak, Assistant Director

Theresa Upton, Record Custodian

Management Team

Ken Carney, Engineer

Peter Zwick, Chief Deputy

Ohio Environmental Protection Agency
Division of Surface Water
Storm Water Program- Small MS4
P.O. Box 1049
Columbus, Ohio 43216-1049

To Whom It May Concern,

Enclosed is the 2019 NPDES Small MS4 General Permit (OHQ000003) Annual Reporting Form that was submitted for the Lorain County Storm Water Management District including the MS4 Townships, the City of Oberlin, and the Village of South Amherst listed below.

Attachments to the report include:

- A- Table of Organization
- B- Lorain County and Co-permittee Applications and MOU's from the MS4 Townships:
 - Amherst
 - Eaton
 - Elyria
 - Grafton
 - Carlisle
 - Columbia
 - Sheffield
 - Henrietta
- C- Resolution No.10-417 Illicit Discharge and Codified Ordinance 915.07 Oberlin City
- D- Resolution No. 10-418 MOU between Lorain County Commissioners and MS4 Townships
- E- Resolution No. SWD-15-7 MOU between Lorain County Commissioners and the City of Oberlin
- F- Resolution No. SWD-18-5 MOU between Lorain County Storm Water Management District and the Village of South Amherst.
- G- Resolution No: 19-714, (Updated) Adoption of Erosion and Sediment Control Rules, No. 19-713, (Updated) Adoption Comprehensive Storm Water Management Program rules and regulations, and Codified Ordinances 19-62 Oberlin City
- H- MOU between Lorain County Engineer, Lorain County Commissioners and Lorain County Soil and Water Conservation District
- I- Plan Reviews/inspections/enforcement per Soil and Water District Records
- J- Lorain County General Health District IDDE letter RE: Notice to Provide Assistance to Lorain County NPDES Small MS4 Communities
- K- HSTS Maps

Feel free to contact me if you have any question or concerns regarding these documents.

Sincerely,


Donald C. Romancak
Assistant Director



Division of Surface Water
NPDES Small MS4 General Permit
(OHQ000003) Annual Reporting Form

Instructions for completing this form

- OHQ000003 requires that this form be used when submitting annual reports. You may request approval to use your own reporting format.
- Annual Reports are due annually on or before April 1st.
- Complete the form and sign and date the certification statement below
- If more space is needed than is provided, identify within the provided space that Attachment A, B, C, etc. has been attached.
- If an item of the form is not applicable for your program (such as street sweeping), fill in N/A in the space provided.
- Do not include attachments such as brochures, newspaper clips, sign-in sheets, etc. related to your program with this form. You only need to summarize these within this report. These records must be filed and will be needed during program audits.
- When complete, submit this Annual Report form to the following address:
Ohio Environmental Protection Agency
Division of Surface Water
Storm Water Program-Small MS4
P.O. Box 1049
Columbus, Ohio 43216-1049

General Information

Small MS4 Annual Report for Year: 2019		Ohio EPA Facility Permit Number: 3GQ10012*CG	
Name of MS4: Lorain County Storm Water Management District			
Mailing Address: 226 MIDDLE AVE 5TH FL			
City: ELYRIA		State: OH	Zip Code: 44035
Country: USA		County: Lorain	
Primary Contact: DONALD ROMANCAK		Title: Assistant Director	
Email Address: dromancak@loraincounty.us		Phone: (440) 328-2323	Fax:

Include or attach a Table of Organization. Indicate who (name and contact information) is responsible for overall management and implementation of your program, and if different, each minimum control measure of your program. Identify how development and implementation across multiple positions, agencies and departments occur. Also, identify any Memorandum of Understandings (MOUs) or other such agreements that exist.

1. Lorain County
2. Amherst Township
3. Village of South Amherst
4. Elyria Township
5. Eaton Township
6. Carlisle Township
7. Columbia Township
8. Grafton Township
9. Henrietta Township
10. Sheffield Township
11. City of Oberlin

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 possibility of fine and imprisonment for knowing violations.

Applicant Name (printed or typed): <i>Donald C Romanca</i>	Title: <i>Asst. Director</i>
Signature: <i>[Signature]</i>	Date: <i>3/31/20</i>

PUBLIC EDUCATION AND OUTREACH

Estimate Your Permit Area of Total Population: 18000

BMP (mechanism)	Responsible Party	Measurable Goal	Theme or Message	Target Audience	% Target Audience	Effective
Amherst Township Publication	Amherst Township	Mail out township publication to residents	Changes	Residents	100	Yes
Summary of Results: Mailed Township Publication to 2,600 Households						
Comments:						
Eaton Township LED Sign	Eaton Twp	Visible to visitors and motorists	Vegetate stream & pond banks to prevent erosion, recycle yard waste, recycle papers, magazines, & flattened cardboard at our drop-offs here, Eaton Township roadside leaf collection, protect our rivers & lakes allow only rain in the storm drain, non-phos fertilizer minimizes algae in ponds & lakes	Residents	100	Yes
Summary of Results: Themes were changed throughout the year, many recyclables and yard wastes were brought to township for disposal						
Comments:						
Informational Mailings	Lorain County Storm Water District, PIPE	Mail Informational and Educational Brochures to 50% of permit area in a 5 year permit cycle	Stormwater Spread it out sink it in	Public/ Residents	50	Yes
Summary of Results: Mailed 3,735 brochures and flyers to residents within the permit area						
Comments: Mailed in December 2019.						
Rural-Urban Record	Grafton Township & Carlisle Township	Township news published	Township News	Public	100	Yes
Summary of Results: Mailed to Grafton Twp residents who don't Grafton zip code. Mailed to Carlisle residents.						
Comments:						
Informational and Educational Brochures Distributed	Lorain County and Co-Permittees, PIPE, NEOPIPE	Lorain County and Co-Permittees distributed information at public events and provided in public spaces at town halls, public libraries, storm water offices, and engineers offices	Storm Water Spread It Out Sink It In, Lake Erie Starts Here, After the Storm, Septic System Care, Sensible Salting, green lawns	Public	20	Yes
Summary of Results: Approximately 2,365 Informational and Educational pieces of literature were passed out or made available to the public						
Comments:						
Fair	Lorain County Storm Water District, PIPE	Distribute Informational Brochures and Interact with Public	Storm Water, Clean Water, Lake Erie	Public	100	Yes
Summary of Results: Distributed 600 brochures at the Elyria Applefest and 200 at the Senior Living Fair. Provided brochures for Lorain County Fair for distribution through LCSWMD partners.						

Comments:

PUBLIC EDUCATION & OUTREACH

Summarize activities you plan to undertake during the next reporting cycle.

BMP (mechanism)	Responsible Party	Measurable Goal	Theme or Message	Target Audience	% Target Audience	Proposed Schedule
Fair	Lorain County	Number of public interactions and amount of literature passed out	Storm water, Lake Erie, Watersheds	residents within permit area	20	Supply literature for L.C. Fair, Apple Fest, and other public events

Summary of Planned Activities: Make literature and personnel available for public interaction at local fairs

Comments: Members of the Lorain County PIPE man a table that distributes information and is available to answer questions.

Informational Mailings	Lorain County	Mail informational literature to 50% of households within the permit area per a year	Lake Erie, Water shed, Storm Water management	residents within permit area	20	Mail 10% spring, 10% fall
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Summary of Planned Activities: mail literature to 20% of residents within permit area

Comments: Included on the brochures are webpage address; phone number and Facebook page address. Made changes in content to include a DIY recipe which has generated more interest in the literature

Eaton Township LED sign	Eaton Twp.	Number of people who see the displayed sign	Changes throughout the year, promotes public participation in cleanups, recycling, fall leaf cleanup, Watershed Protection, Fertilizer Use	Residents within the permit area	20	Theme of sign changes monthly with a message always displayed
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Summary of Planned Activities: Display signs to advertise recycling, storm water and watershed themes etc.

Comments: The sign is located on SR 83 just south of SR 82. This is a highly traveled corridor that generates an impact beyond the local community.

Amherst Township Publication	Amherst Township	Number of households reached	Storm Water, Recycling, Dumpster Days, Battery Disposal, Road and Drainage Projects	Residents of Amherst	100	Quarterly
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Summary of Planned Activities: Create and Distribute Quarterly Township Newsletter To All Households in Amherst Twp.

Comments: Using the mail it is ensuring 100% of residents are reached.

Informational and Educational Brochures	Lorain County	Number handed out or received by public	Stormwater Spread It Out Sink It In	Residents of Permit area	20	Check local libraries and public locations quarterly to stock literature and make sure there are some still available.
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Summary of Planned Activities: Design and make available literature for educational and informational purpose geared toward responsible storm water and watershed practices.

Comments: District delivers new brochures as they become available and fulfills requests for additional materials as requested at a variety of publicly accessible locations.

PUBLIC INVOLVEMENT AND PARTICIPATION

BMP (mechanism)	Responsible Party	Measurable Goal	Theme or Message	Target Audience	Estimate Of People Participated	Effective
Pride Day	Lorain County and Co-Permittees	Number of Volunteers, Amount Cleaned up	Local Community Pride	Residents	285	Yes

Summary of Results: Received participation from approximately 285 people from 5 Townships

Comments:

SWAC Meetings	Lorain County Storm Water District	Participation, Effectiveness	Storm Water Advisory	Local Officials, Business Owners, Residents	100	Yes
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Summary of Results: SWAC Meetings held approximately once a month, open to public to discuss storm water management within the county and its stakeholders

Comments:

Storm Water Annual Event	Lorain County Storm Water District	Attendance, Discussion	Storm Water Management	Public Officials, Local Businesses, Stake Holders	100	Yes
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Summary of Results: Hold Storm Water Annual Event Once per year for education and participation by local officials and stakeholders by invitation

Comments:

Sheffield Township Storm Water Meetings	Sheffield Township	Participation	Storm Water Management	Residents	75	Yes
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Summary of Results: Sheffield Twp. held public meetings for storm water management for their residents 3 times

Comments:

Columbia Township Fall clean-up	Columbia Township	participation	Recycle	Public	10	Yes
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Summary of Results: Collected 15 ton of scrap metal that was transported to a recycling facility.

Comments:

Dumpster Days

Lorain County and Co-Permittees

Amount of participation and collection

Recycling and Responsible Disposal

Residents

1160

Yes

Summary of Results: Dumpster Days was promoted and supported by at least 5 townships with volunteers and approximately 1,160 people participated. At least 670 cubic yards of solid waste, 2,320 gallons of liquid, 730 cubic yards of yard waste, and scrap metal were collected for proper disposal.

Comments:

PUBLIC INVOLVEMENT AND PARTICIPATION

Summarize activities you plan to undertake during the next reporting cycle.

BMP (mechanism)	Responsible Party	Measurable Goal	Theme or Message	Target Audience	Estimate of People to Participate	Proposed Schedule
SWAC Meetings	Lorain County	Number of Meetings Held and Public Participation	Storm Water Management	Local Officials, Businesses, Stakeholders, and Public	35	Once Per Month as needed, a minimum of two per year are required. To operate our programs we meet at least 4 times per year.

Summary of Planned Activities: Hold SWAC Meetings Once a Month to Discuss Storm Water Management, Develop Strategies, and Receive Public Feedback/ Participation

Comments: Meetings are open to public and the Lorain County Township Association distributes agendas and minutes to its membership.

Storm Water Annual Event	Lorain County	Number of Attendees	Storm Water Management	Public Officials, Businesses, Stakeholders	100	Once Per Year
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Summary of Planned Activities: Discuss Goals, Accomplishments, Past, Present, and Future of Storm Water Management

Comments:

Dumpster Days	Lorain County and Co-Permittees	Amount of Solid Waste Collected	Recycling and Proper Disposal of Solid Waste	Residents of Permit Area	200	Promote and Hold at least 1 Dumpster Day Throughout the Year
Summary of Planned Activities: Advertise and Promote "Dumpster Days" to Local Residents						
Comments:						
Pride Day	Lorain County and Co-Permittees	Number of People Who Participate	Community Pride and Cleanup	Residents within the permit area	100	Annual event in May.
Summary of Planned Activities: Promote Pride Day to Local Residents for Participation						
Comments:						
ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)						
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Cite Local Code(s) Being Used (If available, web link for code(s))	Effective	
Ordinance or Other Regulatory Mechanism	Lorain County Storm Water Management District, Oberlin City, Village of South Amherst	Maintain compliance with regulatory mechanism to prohibit illicit discharges.	Yes	Lorain County Resolution No. 10-417 (June 23, 2010), Amherst Twp. 6-9-10, Carlisle Twp. 2010-13, Columbia Twp. 24-2015, Eaton Twp 2010-6-15-9, Elyria Twp. 011915-01, Grafton Twp. 20100511-08, Henrietta Twp. 2016-11-01, Sheffield Twp. 002-2015, Oberlin City Codified Ordinance 915.07 "Wastewater Treatment Required. www.conwaygreene.com/oberlin.htm	Yes	
Summary of Results or Activities: This regulatory mechanism has been created and implemented.						
Comments:						
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Summary of Activities or Updates	Effective	

Storm Sewer System Map	Lorain County Engineer, Oberlin City, Village of South Amherst	Complete required mapping by the end of current permit cycle	Yes	A map of ditches and storm sewers for the county MS4s has been created. Provided townships with maps of their known existing MS4 infrastructure. Oberlin has GIS- based map of receiving waters, piped storm sewer system and catch basis, some tributary ditches, public storm water quality facilities and some private storm water quality facilities.	Yes
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Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Summary of Activities or Updates	Effective
HSTS Mapping and List	Lorain County Health District, Oberlin City, Village of South Amherst	Map and List of HSTS within county	Yes	A map has been created of all HSTS within the county. This map has been refined to show the HSTS'S that discharge to the county MS4.	Yes

Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Summary of Activities or Updates	Effective
IDDE Plan	Lorain County Storm Water District, Oberlin, Village of South Amherst	Screen outfalls to detect and identify illicit discharges, trace them, eliminate them or pass them on to the regulating authority	Yes	Identify and trace potential illicit discharges	Yes

Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Total # of Outfalls	Effective
Dry-Weather Screening of Outfalls	Lorain County Storm Water District	Screen all outfalls by end of permit cycle	Yes	278	Effective
				57	Yes

Comments: Illicit Discharges were traced to potential source, then contacted the person or agency responsible for regulating the source activity. ex. Health Department

Upload File Name for the Illicit Discharges: 2019 Lorain Co. DWS Report.pdf

BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Summary of Planned Activities	Comments	Effective
No records found						

ILLICIT DISCHARGE DETECTION & ELIMINATION (IDDE)

Summarize activities you plan to undertake for the next reporting cycle.

BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Summary of Planned Activities	Proposed Schedule
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Outfall Screening	Lorain County	Screen at least 20% of outfalls per year, re-screen outfalls with dry weather flow	Continue to map and screen approximately 20% of outfalls per year with 100% of outfalls screened during 5 year permit cycle	Begin screenings when weather allows and complete by end of October to provide opportunities to trace if necessary within plan year.	
Comments:					
Storm Sewer System Map	Lorain County Storm Water Management District, Oberlin, Village of South Amherst	Continue to update existing maps and transfer from paper to GIS	Update and transfer to GIS	Ongoing	
Comments:					
HSTS Mapping and List	Lorain County Storm Water Management District, Oberlin, Village of South Amherst	Maintain and update HSTS	Update as necessary	Ongoing and Annually	
Comments:					
IDDE Plan	Lorain County, Oberlin, Village of South Amherst	Identify, Trace, and Elimination	Continue to identify and respond to identified IDDEs within the county and eliminate them or report them to the regulating authority who can help eliminate them.	As reported or found. As soon as possible when one is identified.	
Comments:					
CONSTRUCTION SITE RUNOFF CONTROL					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Cite Local Code(s) Being Used (If available, web link for code(s))	Effective
Ordinance or Other Regulatory Mechanism	Lorain County Storm Water Management District	Develop regulatory mechanism to control construction site runoff	Yes	Resolution 09-805 (November 19, 2009) Ordinance covers MS4 Townships, Resolution 19-713 (Updated 10/30/2019) Adoption of Erosion and Sediment Control Rules, Resolution 19-714 (10/30/2019) Post Construction Rules, Oberlin City Codified Ordinances Chapter 916 (916.20-916.25, 916.30-916.34, 916.80-916.82, 916.98-916.99)	Yes
Summary of Results or Activities: The regulatory mechanism has been implemented.					
Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Standards Being Used	Effective

Sediment and Erosion Control Requirements	Lorain County Engineers, Lorain County Soil and Water Conservation District	Develop sediment and erosion control regulations, revise as needed	Yes	Lorain County Erosion and Sediment Control Rules, ODNR Rainwater and Land Development manual	Yes
Summary of Results or Activities: The regulatory mechanism has been implemented					
Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Applicable Sites Requiring Plans	# of Plans Reviewed
Complaint Process	Lorain County Storm Water Management District, Lorain County Soil and Water Conservation District	Record and respond to all complaints.	Yes	37	37
Summary of Results or Activities: Any complaints were investigated and handled in the appropriate manner					
Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Sites Requiring Plans	# of Plans Reviewed
Site Plan Review Procedures	Lorain County Soil and Water Conservation District	Review all site plans with a disturbed area greater than or equal to one acre for the county and the MS4 townships	Yes	100	100
Summary of Results or Activities: All site plans with a disturbed area greater than or equal to one acre were reviewed for the county and MS4 townships					
Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Applicable Sites	Average Frequency
Site Inspection Procedures	Lorain County Soil and Water Conservation District (SWCD)	Visit each active site at least once per month for county and MS4 to check BMP and compliance	Yes	160	1
Summary of Results or Activities: Visit each active site once per a month for the county and MS4 townships to check for compliance					
Comments:					
Upload File Name(s) for Applicable Sites: 37 complaints.docx					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Violation Letters	# of Enforcement Actions
Enforcement Procedures	Lorain County Board of Commissioners	Develop plan to ensure compliance with Erosion and Sediment Control regulations for the county and MS4 townships	Yes	44	44
Summary of Results or Activities: Sent letters and notices of deficiency in appropriate manner with follow up inspections to check for corrective actions taken to maintain compliance.					
Comments:					
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Measurements	Effective
No records found					

CONSTRUCTION SITE RUNOFF CONTROL

Summarize activities you plan to undertake during the next reporting cycle.

BMP (mechanism)	Responsible Party	Measurable Goal	Summary of Planned Activities	Proposed Schedule
Enforcement Procedures	Lorain County Board of Commissioners, Storm Water Management District, Oberlin, South Amherst Village	Develop plan to ensure compliance with ESC regulations for the county and MS4 townships. Require sign offs on subdivisions prior to Planning Commission Approval.	Continue to follow enforcement procedures outline in the ESC requirements for the county and MS4 townships	Throughout the year
Comments:				
Site Plan Review	Soil and Water Conservation District, L. C. Engineers, Oberlin	Review all site plans with a disturbed area greater than or equal to one acre for the county and MS4 townships	Continue with site plan reviews with a disturbed area greater than or equal to one acre for the county and MS4 townships	Throughout the year
Comments:				
Ordinance or Other Regulatory Mechanism	Storm Water Management District/ Oberlin	Regulatory mechanisms have been created for the county and MS4 townships	Regulatory mechanisms have been created for the county and the MS4 townships	Throughout the year
Comments:				
Sediment and Erosion Control Requirements	Storm Water Management District, Soil and Water Conservation District, Oberlin	Provide plan review in accordance with the sediment and erosion control requirements	Provide plan review in accordance with the sediment and erosion control requirements	Throughout the year
Comments:				
Complaint Process	Storm Water Management District, Oberlin	Record and respond to all complaints and review sites for violations, standardize a formal process	Continue addressing complaints as they come in for the county and MS4 townships	Throughout the year
Comments:				
Site Inspections	Soil and Water Conservation District, Oberlin	Visit each active site for the county and MS4 townships once per month	Use standard inspection forms to evaluate sites	Throughout the year
Comments:				

POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT

BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Cite Local Code(s) Being Used (If available, web link for code(s))	Effective
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Ordinance or Other Regulatory Mechanism	Lorain County Storm Water Management District, Oberlin, Village of South Amherst	Developed regulatory mechanism for post construction that applies to the county and MS4 townships	Yes	Resolution 16-794 (Updated 12/14/16) Lorain County Post Construction Rules, Resolution 09-806 (November 19, 2009) Includes MS4's: Amherst Twp., Carlisle Twp., Columbia Twp., Eaton Twp., Elyria Twp., Grafton Twp., Henrietta Twp., Sheffield Twp., Oberlin City Ord. 96-82 AC. (Amended 11/18/2019) Chapter 916, 916.20-916.25, 916.30-916.34, 916.80-916.82, 916.98-916.99	Yes		
Summary of Results or Activities: Complied with post-construction requirements							
Comments:							
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Structural and/or Non-Structural Standards Being Used	Effective		
Post-Construction Requirements	Soil and Water Conservation District, Oberlin, Lorain County Engineer, Village of South Amherst	Developed post construction rules that apply to the county and MS4 Townships, Performed Reviews and Inspections as required	Yes	Lorain County Post Construction Rules, Oberlin City Post Construction Rules	Yes		
Summary of Results or Activities: Complied with post construction requirements							
Comments:							
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Applicable Sites Requiring Plans	# of Plans Reviewed	Effective	
Site Plan Review Procedures	Soil and Water Conservation District, Lorain County Engineers, Oberlin, Village of South Amherst	Review all site plans with post construction requirements for the county and the MS4 townships	Yes	17	17	Yes	
Summary of Results or Activities: Reviewed all site plans with post construction BMP's for the county and MS4 Townships							
Comments:							
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Applicable Sites	# of Inspections Performed	Average Frequency	Effective
Site Inspection Procedures	Soil and Water Conservation District, Oberlin, Lorain County Engineers, Village of South Amherst	Perform inspections after construction is complete for the county and MS4 townships	Yes	13	26	1	Yes
Summary of Results or Activities: Performed post construction inspections where applicable, reviewed post construction storm water controls where applicable. Performed inspections on average 1 before construction and 1 after construction							
Comments:							
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Violation Letters	# of Enforcement Actions	Effective	
Enforcement Procedures	Soil and Water Conservation District, Oberlin, Lorain County Engineers, Village of South Amherst	Continue to ensure compliance with ESC rules for the county and MS4 townships	Yes	0	0	Yes	

Summary of Results or Activities: Followed enforcement procedures								
Comments:								
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	# of Sites Requiring Plans/Agreements	# of Plans Developed/Agreements in Place	Effective		
Long-Term O&M Plans/Agreements	Lorain County Engineers	Perform plan and site reviews, require and review O&M agreements where applicable, Maintain O&M agreements	Yes	11	11	Yes		
Summary of Results or Activities: 11 sites have applicable O&M agreements, Lorain County Engineers work with site developers/owners to create and maintain the O&M agreements								
Comments:								
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Measurement 1	Measurement 2	Effective		
No records found								
POST-CONSTRUCTION STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVELOPMENT								
Summarize activities you plan to undertake for the next reporting cycle.								
BMP (mechanism)	Responsible Party	Measurable Goal	Summary of Planned Activities			Proposed Schedule		
Enforcement Procedures	Lorain County Storm Water Management District, Oberlin, Village of South Amherst	Continue to ensure compliance control requirements for the county and MS4 townships	Enforcement procedures have been created. Continue to follow procedures and revise as needed for county and MS4 townships			Throughout the year		
Comments:								
Long-Term O&M Plans/Agreements	Storm Water Management District, Oberlin, Lorain County Engineers	Continue requirement for O&M Plans/agreements for the county and the MS4 townships	This requirement is part of the site plan approval process. Need to ensure all plans post construction. Post construction requirements also have an O&M agreement in place. GIS map SCM's for better monitoring in future.			Require O&M agreements where applicable as part of the planning process, Ensure O&M agreements are in place and continue to maintain areas that have an agreement in place.		
Comments:								
Ordinance and Other Regulatory Mechanisms	Storm Water Management District, Oberlin	Comply with ordinances in place for the county and MS4 townships	Comply with ordinances in place			Throughout the year		
Comments:								
Post- Construction Requirements	Lorain County Storm Water Management District, Lorain County Engineers, Oberlin	Comply with post construction requirements for the county and MS4 townships	Comply with post construction requirements			Throughout the year		

Comments:		Storm Water Management District, Lorain County Soil and Water Conservation District, Lorain County Engineers, Oberlin		Review all site plans with post construction requirements for the county and MS4 townships	Continue with site plan review for both the county and MS4 townships	Throughout the year
Comments:		Storm Water Management District, Lorain County Engineers, Lorain County Soil and Water Conservation District, Oberlin, Village of South Amherst		Inspect all sites after final stabilization for compliance with post construction requirements for the county and the MS4 townships	Perform inspections as required for permitting, planning, and post construction to check compliance with adopted rules.	Throughout the year
Comments:						
POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS						
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Topic(s)	Targeted Audience	# of Employees Attended
Employee Training Program 1	Ohio Stormwater Association	number of attendees	Yes	Stormwater Pollution Prevention Plan Review & Construction Inspections	Road workers, public employees, private companies	2
Effective Yes						
Summary of Activity: SWPPP reviews from an Ohio EPA Perspective and Construction Site Inspections from a local Perspective						
Comments:						
BMP (mechanism)	Responsible Party	Measurable Goal	Completed	Topic(s)	Targeted Audience	# of Employees Attended
Employee Training Program 2	County	Individuals trained	Yes	Use of glyphosate for invasive species control	Township	40
Effective Yes						
Summary of Activity: Trained and licensed applicator provided training and demonstrations on the use of glyphosate to treat phragmites and other invasives that are appropriate to be sprayed. Included species identification and the distribution of reference materials.						
Comments:						
BMP (mechanism)	List of Municipal Facilities Subject to Program			O&M Procedures Developed?	# of Inspections Performed	Frequency of Inspections
Municipal Facilities	Elyria Twp Maintenance Facility, Lorain County Engineers Maintenance Facility, Oberlin Cemetery, Oberlin Compost Facility, Oberlin Municipal Light and Power, Oberlin Service Complex, Sheffield Twp Maintenance Facility, South Amherst Village (2 facilities)			Yes	24	quarterly and annually
BMP (mechanism)	Summarize Maintenance Activities and Schedules			Summarize Activities Performed		

MS4 Maintenance	Guard Rails, Ditches, Culverts, Storm Sewers, and Catch Basins are cleaned, repaired, or replaced as needed.	7,330 ft of ditches were cleaned, 34 drive pipes repaired/replaced, 6,500 feet of storm sewers were cleaned, 3,059 ft of storm sewers were replaced/ repaired, 1,243 catch basins were cleaned, 94 catch basins were repaired/ replaced, 74,000 ft of guardrail.		
BMP (mechanism)	Procedures Developed?	Document Amounts of Wastes Properly Disposed		
Disposal of Wastes	Yes	Lorain County Solid Waste Management District- Collection Center: Received 18,204 visitors disposing 903,334 lbs Hazardous Wastes, 499,850 lbs Electronic Scrap, 276,758 lbs Lamp & Ballast, 512,320 lbs Scrap Tires, 188,180 lbs Other Materials. Co-Permittee Efforts with dumpster days, yard waste transfer stations, and town recycling centers collected 15 tons of scrap metal, 730 tons of yard waste, and 2,320 gallons of hazardous liquids.		
BMP (mechanism)	Covered?	Tons Used	Summarize Measures Taken to Minimize Usage	
Road Salt	Yes	3015 Tons	State of the art computerized truck applicators in some locations that apply minimum, other locations use spot salting techniques and only salt areas identified as hazards.	
BMP (mechanism)	Procedures Developed?	Gallons Used	Summarize Measures Taken to Minimize Usage	
Pesticide & Herbicide Usage	Yes	60 Gallons	Spot spray in some locations	
BMP (mechanism)	Procedures Developed?	Pounds Used	Summarize Measures Taken to Minimize Usage	
Fertilizer Usage	No	0 Pounds	No fertilizers were reported to have been used.	
BMP (mechanism)	Procedures Developed?	Document Amount of Material Collected and Properly Disposed		
Street Sweeping	Yes	188.86 cubic yards		
BMP (mechanism)	Summarize Any New or Existing Flood Management Projects that were Assessed for Impacts on Water Quality			
Flood Management Projects	1. Lake Avenue Stream Restoration Project created 6 wetland floodplains, reconstructed stream bed, and improved water quality while reducing frequency and incidence of flooding for areas of Sheffield Twp, Elyria Twp, and the City of Lorain. 2. Fortune Ditch Stream Restoration Project increases water quality by reducing sedimentation into the ditch, created wetland and floodplains and increased wildlife habitat.			
BMP (mechanism)	Summary			
No records found				

POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

Summarize activities you plan to undertake for the next reporting cycle.

BMP (mechanism)	Responsible Party	Measurable Goal	Summary of Planned Activities	Proposed Schedule
Municipal Facilities	Elyria Twp., Lorain County Engineers, Oberlin City, Sheffield Twp., South Amherst Vlg.	Complete all Quarterly and Annual inspections and reports in a reasonable quarterly and annual fashion	Have each responsible entity complete their quarterly and annual inspections on time and turn the reports into Lorain County Storm Water Management District	quarterly and annually

Comments: Lorain County Storm water Management District will provide ongoing training through KEM and staff.

MS4 Maintenance	Lorain County and Co-Permittees	Number of Ditches, Storm Sewers, and Catch Basins Cleaned	Continue to Maintain and Clean As Needed	Clean and Repair as Needed Throughout Service Area
Comments:				
Road Salt	Lorain County and Co-Permittees	Amount of Salt Used	Continue to Reduce Road Salt Usage by Spot Salting and Investing in Modern Equipment with Better Application Rates	Spot Salt As Needed During Snow and Ice
Comments:				
Fertilizer Usage	Lorain County and Co-Permittees	Amount Used	Continue to Use Little or No Fertilizers	Use Fertilizer Only if Necessary
Comments:				
Disposal of Wastes	Lorain County and Co-Permittees	Amount Collected and Amount of Participation	Promote use of Lorain County Solid Waste Collection Center and local recycling centers for use by residents to properly dispose of wastes.	2-4 times yearly advertise the resources available to residents for disposal.
Comments:				
Pesticide and Herbicide Usage	Lorain County and Co-Permittee	Amount Used	Continue to Minimize Herbicide Usage by Spot Spraying and Mowing. No Pesticide is Currently Used and Try to Maintain This Practice.	Mow areas that are accessible and spot spray where necessary to minimize herbicide use.
Comments:				
PROPOSED CHANGES TO YOUR SWMP (IF ANY)				
Summarize any proposed changes to your SWMP, including changes to any BMPs or any identified measurable goals that apply to the program elements. If you fail to satisfy measurable goals for the reporting year, please explain why.				
VARIANCES GRANTED (IF ANY)				
Identify and summarize any variances granted under your storm water program.				

ADDITIONAL INFORMATION

Please add any additional comments or attachments below.

Additional Information attachment(s): Health Dept MOU.pdf, LCSWMD Comprehensive Storm Water Management Rules 191030.pdf, Soil and Water MOU.pdf, MSGP inspections 2019 part 2.pdf, ESC Regs 10-30-19.pdf, SWCD Totals 2019.pdf, MSGP inspections 2019 part 1.pdf, HSTS Maps.pdf



A

ATTACHMENT A

Table of Organization

2019 Lorain County EPA Phase II Storm Water Management Program Table of Organization

Lorain County Commissioners 440-329-5111
Matt Lundy Lori Kokoski Sharon Sweda

James Cordes, County Administrator
 440-329-5760 jcordes@loraincounty.us

Don Romancak, Director
 Lorain County Community Development
 440-328-2323 dromancak@loraincounty.us

Virginia Haynes, Storm Water Coordinator
 Lorain County Community Development
 440-328-2362 vhaynes@loraincounty.us



Public Education and Outreach MCM #1

Public Involvement/ Participation MCM #2

Virginia Haynes, Storm Water Coordinator
 Lorain County Community Development
 440-328-2362 vhaynes@loraincounty.us

Solid Waste Management District
 440-329-5440
 Pride Day and Recycling Programs

Illicit Discharge Detection & Elimination MCM #3

Dave Covell, Health Commissioner, Lorain County General Health District
 440-284-3219 dcovell@loraincountyhealth.com
 Investigation & Enforcement of Failing Private Sewage Systems with the Lorain County General Health District.
 Coordinate Storm Outfall Screening/Sampling
 Coordinate Updating of MS4 and HSTS Mapping.

Lorain County MS4 Townships
 Coordinate All Illicit Discharge Investigations
 Storm Outfall Screening and Sampling

Construction Site Stormwater Runoff Control MCM #4

Samantha Heitzentrater, Urban Erosion & Stormwater Specialist, Lorain SWCD
 440-326-5808 sneilson@loraincounty.us
 Enforcement of Construction Plan Erosion/Sediment Control
 Construction Site Erosion/Sediment Control Inspections

Matthew Arnold, Storm Water Technician
 Lorain County Storm Water Management District
 440-328-2364 marnold@loraincounty.us
 Construction Site Erosion/Sediment Control Inspections

Post-Construction Stormwater Management MCM #5

Peter Zwick, Deputy Engineer, Lorain County Engineer
440-329-5584 pzwick@loraincounty.us
Construction Plan Review
Enforcement of Construction Plan BMP Implementation

Consulting Engineer
Construction Site BMP and BMP Maintenance Inspections

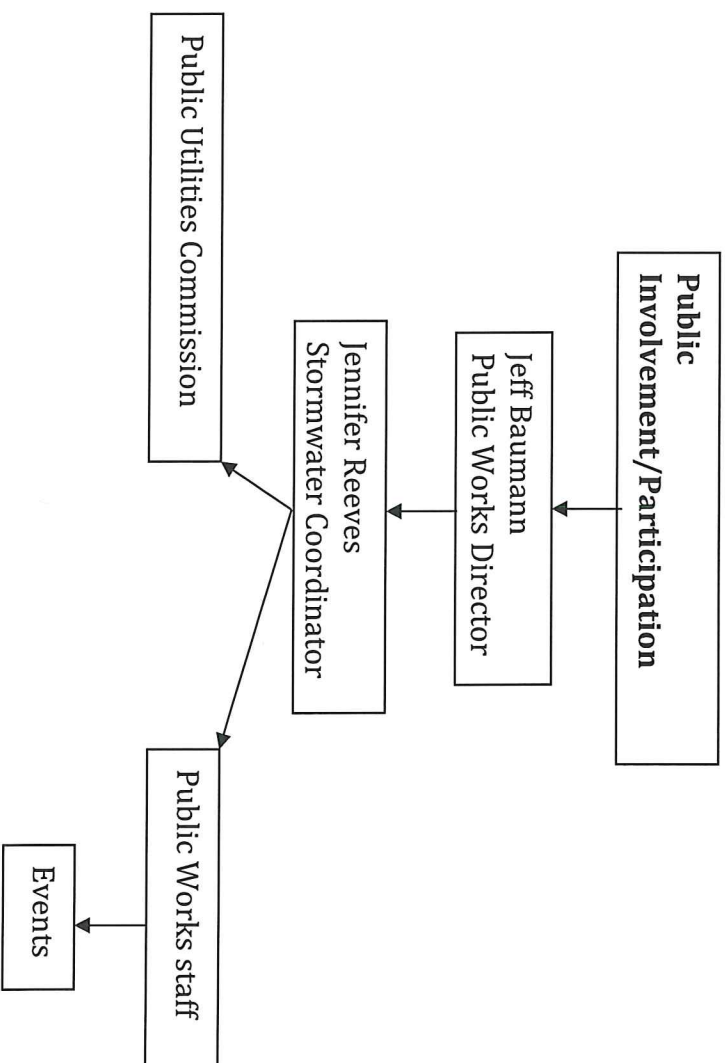
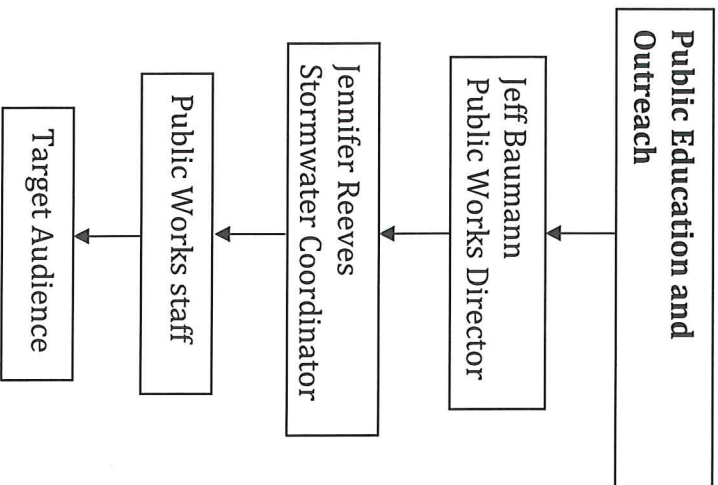
Pollution Prevention / Good Housekeeping MCM #6

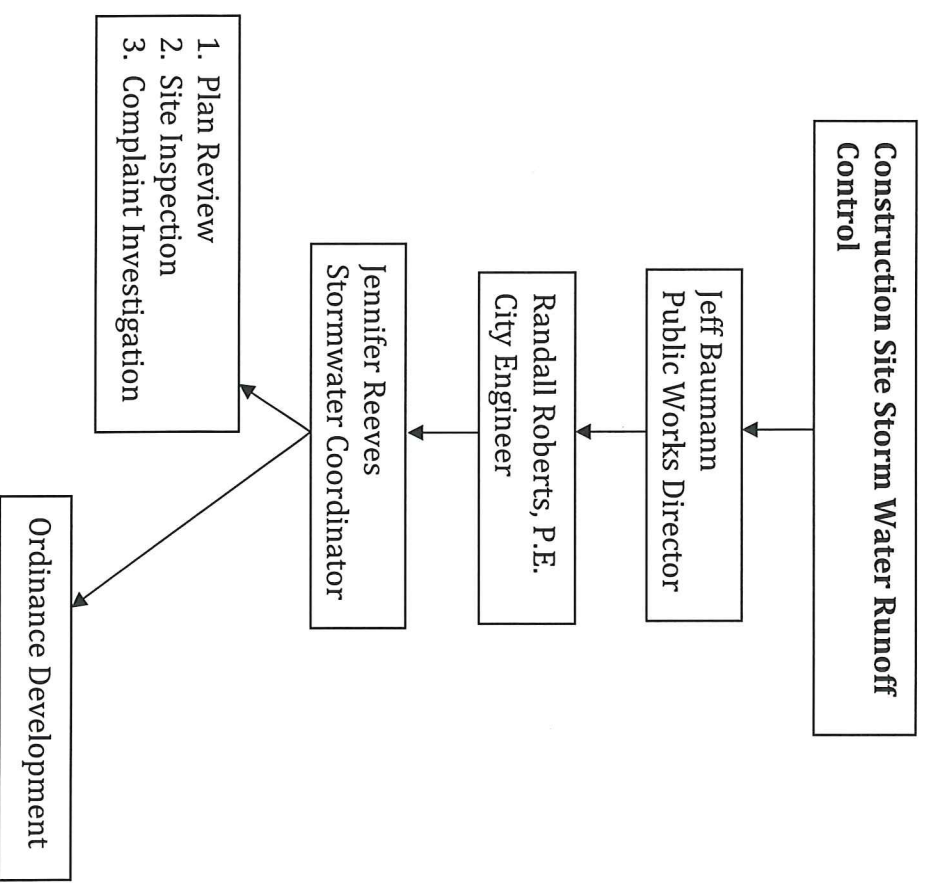
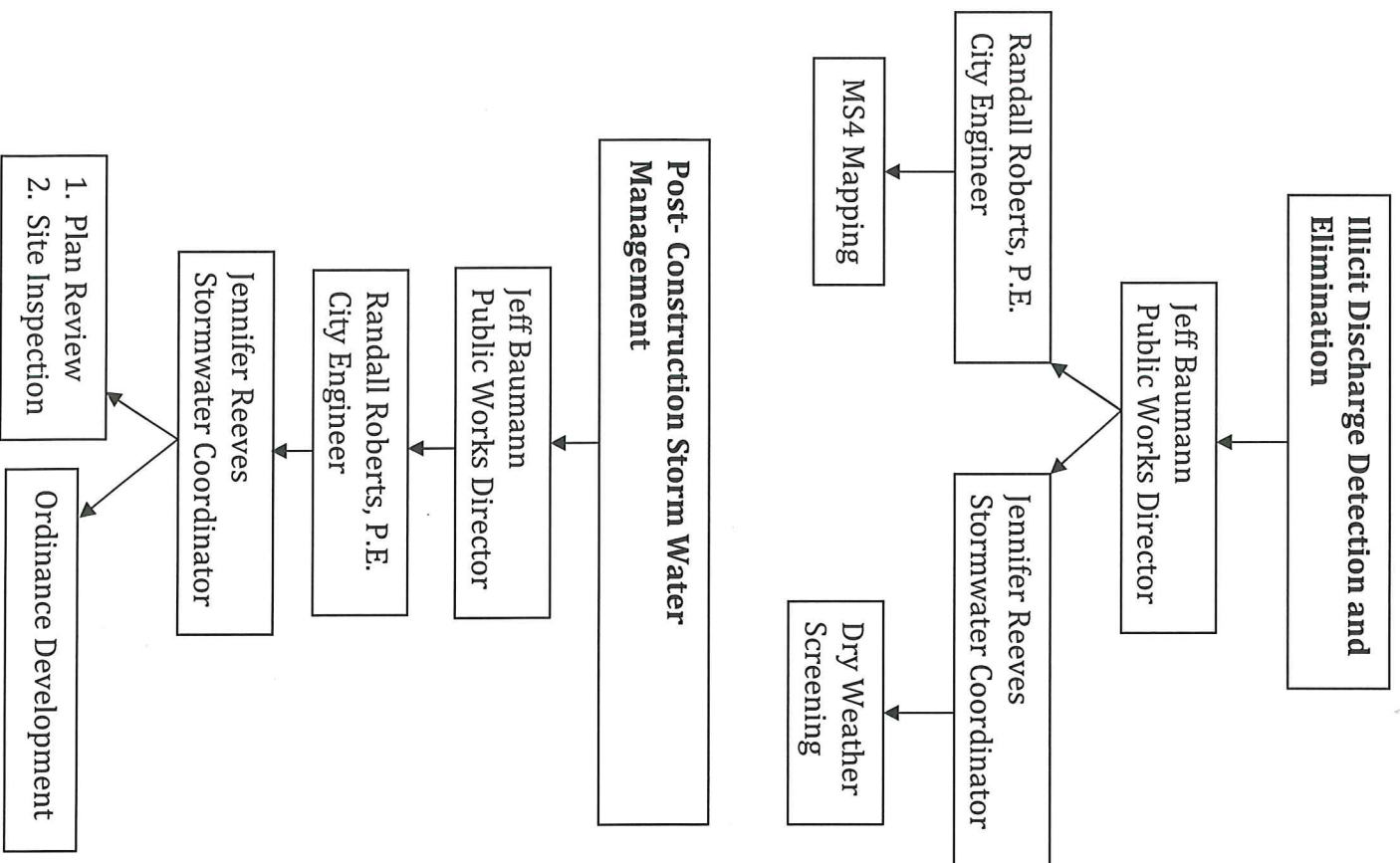
Lorain County MS4 Townships
Service Dept. Good Housekeeping SWP3
Road Salt Management
Property Grounds Maintenance including Pesticide, Herbicide
and Fertilizer Applications

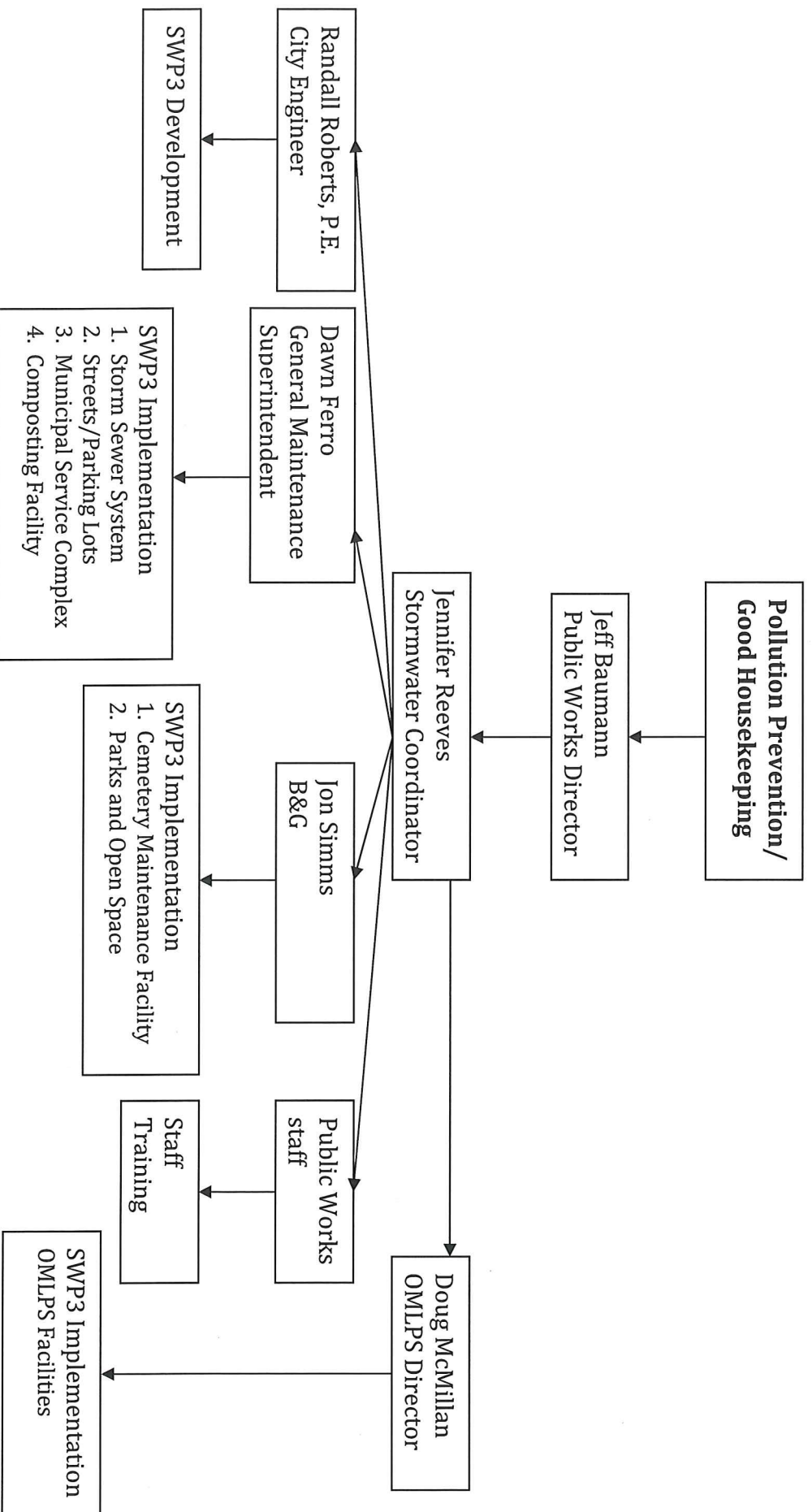
Kenneth Carney, Lorain County Engineer
440-329-5585 kcarney@loraincountyengineer.com
Pollution Prevention / Good Housekeeping for County operated WWTPs



City of Oberlin
MS4 - Permit OHQ000003
Table of Organization









B

ATTACHMENT B

Lorain County and Co-permittee Applications and MOU's
from the MS4 Townships:

Amherst
Eaton
Elyria
Grafton
Henrietta
Carlisle
Columbia
Sheffield



Division of Surface Water
Co-Permittee Notice of Intent (NOI) for Coverage Under
Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE. 5TH FLOOR

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DON ROMANCAK

Phone: 440-328-2323

Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00023*AG

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information:

Initial MS4 Co-Permittee Name: AMHERST TOWNSHIP

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DENNIS ABRAHAM

Phone: 440-988-5894

Fax: 440-988-5877

Facility Contact E-mail Address: amhersttwproads@oh.rr.com

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romancak

Title:

Assistant Director

Signature:

Date:

1/9/14

ORIGINAL MOU
WITH AMHERST TWP
RESOLUTION 126/12

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of AMHERST Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 – Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- Provide link to County Storm Water district Website on Township Websites, if in existence.
- Forward Webinar promotion information to township employees
- Follow LCPIPE prepared public education plan in conjunction with County
- Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 – Public Involvement / Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The County is responsible for the development of Public Involvement and Participation activities which may include:
 - Storm Water Advisory Committee (SWAC)
 - Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - Solid and Hazardous Waste Disposal
 - Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- o The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- o Townships are responsible to make sure that Involvement activities are advertised to Township employees and residents.

MCM #3 – Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships
- o Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSs) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- o Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- o Pass resolution to prohibit Illicit Discharge if not already completed.
- o Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 – Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- Follow enforcement escalation plan outlined in the regulations.

Township Responsibility:

- Comply with Construction Site Erosion Control Regulations
- Report known violations to Lorain County

MCM #5 – Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- Perform as-built inspections
- Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township owned BMP's.

MCM #6 – Pollution Prevention / Good Housekeeping

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWP3 for Township Facilities
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: 

Date: 4-8-13

BOARD OF TRUSTEES OF
AMHERST TOWNSHIP

By: 

NEIL J. LYNCH

Date: December 11, 2012

AMHERST TOWNSHIP
RESOLUTION NO. 12/06/12



Division of Surface Water
Co-Permittee Notice of Intent (NOI) for Coverage Under
Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE, 5TH FLOOR

City: ELYRIA	State: Ohio	Zip Code: 44035
MS4 Contact Person: DON ROMANCAK	Phone: 440-328-2323	Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00109*BG Initial Coverage: ☐ Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information:

Initial MS4 Co-Permittee Name: EATON TOWNSHIP

City: GRAFTON	State: Ohio	Zip Code: 44044
MS4 Contact Person: RICHARD KNECHTGES	Phone: 440-748-2236	Fax: 440-748-1928

Facility Contact E-mail Address: rknechtges@glwb.net

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romancak

Title:

Assistant Director

Signature:

Date:

1/9/14

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of EATON Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 – Public Education and Outreach on Storm Water Impacts

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County Responsibility:

- County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information.
- As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- Provide link to County Storm Water district Website on Township Websites, if in existence.
- Forward Webinar promotion information to township employees
- Follow LCPIPE prepared public education plan in conjunction with County
- Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 – Public Involvement / Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The County is responsible for the development of Public Involvement and Participation activities which may include:
 - Storm Water Advisory Committee (SWAC)
 - Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - Solid and Hazardous Waste Disposal
 - Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- o The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- o Townships are responsible to make sure that Involvement activities are advertised to Township employees and residents.

MCM #3 – Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships
- o Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSs) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- o Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- o Pass resolution to prohibit Illicit Discharge if not already completed.
 - o Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls.
- Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- o Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- o Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 -- Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- o Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- o Follow enforcement escalation plan outlined in the regulations.

Township Responsibility:

- o Comply with Construction Site Erosion Control Regulations
- o Report known violations to Lorain County

MCM #5 -- Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- Perform as-built inspections
- Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township owned BMP's.

MCM #6 – Pollution Prevention / Good Housekeeping

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWP3 for Township Facilities
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: _____

Date: _____

3/28/13

BOARD OF TRUSTEES OF
EATON TOWNSHIP

By: _____

Date: _____

11/6/12



Division of Surface Water

Co-Permittee Notice of Intent (NOI) for Coverage Under Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE. 5TH FLOOR

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DON ROMANCAK

Phone: 440-328-2323

Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00105*BG

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information:

Initial MS4 Co-Permittee Name: ELYRIA TOWNSHIP

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: WILLIAM HOLTZMAN

Phone: 440-324-7758

Fax: 440-324-2109

Facility Contact E-mail Address: bholtzman@loraincounty.us

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romancak

Title:

Assistant Director

Signature:

Date:

1/19/14

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of Elyria Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 – Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- Provide link to County Storm Water district Website on Township Websites, if in existence.
- Forward Webinar promotion information to township employees
- Follow LCPIPE prepared public education plan in conjunction with County
- Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 – Public Involvement/ Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The County is responsible for the development of Public Involvement and Participation activities which may include:
 - Storm Water Advisory Committee (SWAC)
 - Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - Solid and Hazardous Waste Disposal
 - Lorain County Pride Day

- Lorain County Adopt a Highway Program
- The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- Townships are responsible to make sure that Involvement activities are advertised to Township employees and residents.

MCM #3 – Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below.

County Responsibility:

- Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships.
- Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSS) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- Pass resolution to prohibit Illicit Discharge if not already completed.
- Assist County in collection and inventory of current IDDE practices including providing information on:
 - MS4 Outfalls (location and screening)
 - MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 - Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- Follow enforcement escalation plan outlined in the regulations:

Township Responsibility:

- Comply with Construction Site Erosion Control Regulations
- Report known violations to Lorain County

MCM #5 - Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- Perform as-built inspections.
- Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township-owned BMP's.

MCM #6 – Pollution Prevention / Good Housekeeping:

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities; specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWP3 for Township Facilities
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: [Signature]

Date: 3/28/13

BOARD OF TRUSTEES OF
Elgin TOWNSHIP

By: [Signature]
William Holtzner, Trustee

Date: 3/27/2013



Division of Surface Water

Co-Permittee Notice of Intent (NOI) for Coverage Under Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE. 5TH FLOOR

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DON ROMANCAK

Phone: 440-328-2323

Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00051*BG

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information:

Initial MS4 Co-Permittee Name: GRAFTON TOWNSHIP

City: GRAFTON

State: Ohio

Zip Code: 44044

MS4 Contact Person:

Carl Wesemeyer

Phone: 216-299-3159

Fax: NONE

Facility Contact E-mail Address: carl.wesemeyer@gmail.com

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romancak

Title:

Assistant Director

Signature:

Date:

1/9/14

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of Grafton Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION of the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 – Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- Provide link to County Storm Water district Website on Township Websites, if in existence.
- Forward Webinar promotion information to township employees
- Follow LCPIPE prepared public education plan in conjunction with County
- Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 – Public Involvement / Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The County is responsible for the development of Public Involvement and Participation activities which may include:
 - Storm Water Advisory Committee (SWAC)
 - Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - Solid and Hazardous Waste Disposal
 - Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- o The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- o Townships are responsible to make sure that involvement activities are advertised to Township employees and residents.

MCM #3 - Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships
- o Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSs) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- o Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- o Pass resolution to prohibit Illicit Discharge if not already completed.
 - o Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - o showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls.
- Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- o Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- o Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 – Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- o Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- o Follow enforcement escalation plan outlined in the regulations.

Township Responsibility:

- o Comply with Construction Site Erosion Control Regulations
- o Report known violations to Lorain County

MCM #5 – Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- Perform as-built inspections
- Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township owned BMP's.

MCM #6 – Pollution Prevention / Good Housekeeping

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWP3 for Township Facilities
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: _____

Date: _____

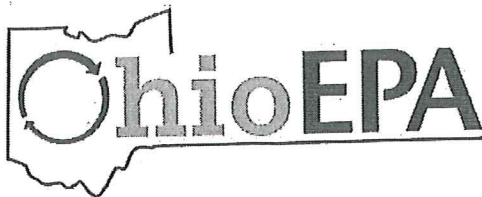
3/28/13

BOARD OF TRUSTEES OF
GRAPTON TOWNSHIP

By: _____

Date: _____

11-19-2012



Division of Surface Water

Co-Permittee Notice of Intent (NOI) for Coverage Under Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE

City: ELYRIA	State: Ohio	Zip Code: 44035
MS4 Contact Person: DONALD ROMANCAK	Phone: 440-328-2323	Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: OHQ000003

Initial Coverage: ☒

Renewal Coverage: ☐

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ10012*CG

II. Initial MS4 Co-Permittee Information

Initial MS4 Co-Permittee Name: HENRIETTA TOWNSHIP

City: AMHERST	State: Ohio	Zip Code: 44001
MS4 Contact Person: JOE SIEKERES	Phone: 440-965-4214	Fax: NONE

Facility Contact E-mail Address: Henriettatownship@gmail.com

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

HENRIETTA TOWNSHIP

Title:

FISCAL OFFICER

Signature:

Joseph D. Siekeres

Date:

11/10/2016

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of Henrietta Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 – Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- Provide link to County Storm Water district Website on Township Websites, if in existence.
- Forward Webinar promotion information to township employees
- Follow LCPIPE prepared public education plan in conjunction with County
- Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 – Public Involvement / Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The County is responsible for the development of Public Involvement and Participation activities which may include:
 - o Storm Water Advisory Committee (SWAC)
 - o Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - o Solid and Hazardous Waste Disposal
 - o Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- Townships are responsible to make sure that involvement activities are advertised to Township employees and residents.

MCM #3 - Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships
- Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSS) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- Pass resolution to prohibit Illicit Discharge if not already completed.
- Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMP's and private post construction water quality BMP's which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- o Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- o Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 - Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- Follow enforcement escalation plan outlined in the regulations.

Township Responsibility:

- Comply with Construction Site Erosion Control Regulations
- Report known violations to Lorain County

MCM #5 - Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- Perform as-built inspections
- Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township owned BMP's.

MCM #6 – Pollution Prevention / Good Housekeeping

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWP3 for Township Facilities
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OH0000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: [Signature]

Date: 11-15-16

BOARD OF TRUSTEES OF
HENRIETTA TOWNSHIP

By: [Signature]

Date: 11-10-16



Division of Surface Water

Co-Permittee Notice of Intent (NOI) for Coverage Under Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE. 5TH FLOOR

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DON ROMANCAK

Phone: 440-328-2323

Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00095*BG

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information

Initial MS4 Co-Permittee Name: CARLISLE TOWNSHIP

City: LAGRANGE

State: Ohio

Zip Code: 44050

MS4 Contact Person: WILLIAM J. OLIVER

Phone: 440-458-5667

Fax: 440-458-5179

Facility Contact E-mail Address: carlisletp@windstream.net

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romancak

Signature:

Title:

Assistant Director

Date:

1/9/14

Mar. 21, 2013 2:13PM

No. 1632 P. 2

copy

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of CARLISLE Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 - Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (3 years).

Township Responsibility:

- Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- Provide link to County Storm Water district Website on Township Websites, if in existence.
- Forward Webinar promotion information to township employees
- Follow LCPIPE prepared public education plan in conjunction with County
- Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 - Public Involvement/ Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- The County is responsible for the development of Public Involvement and Participation activities which may include:
 - Storm Water Advisory Committee (SWAC)
 - Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - Solid and Hazardous Waste Disposal
 - Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- * The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- * Townships are responsible to make sure that involvement activities are advertised to Township employees and residents.

MCM #3 -- Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities. Specific responsibilities for the County and Townships are outlined below.

County Responsibility:

- * Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships.
- * Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSs) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- * Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- * Pass resolution to prohibit Illicit Discharge if not already completed.
- * Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - * showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post-construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- o Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- o Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 - Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- o Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- o Follow enforcement escalation plan outlined in the regulations:

Township Responsibility:

- o Comply with Construction Site Erosion Control Regulations
- o Report known violations to Lorain County

MCM #5 - Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- Perform as-built inspections.
- Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township-owned BMP's.

MCM #6 – Pollution Prevention/ Good Housekeeping:

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities; specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWPP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWPP3 for Township Facilities.
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Mar. 21. 2013 2:13PM

No. 1632 P. 7

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: [Signature]

Date: 3/28/13

BOARD OF TRUSTEES OF
CARLETON TOWNSHIP

By: [Signature]

Date: 11/19/2012



Division of Surface Water
Co-Permittee Notice of Intent (NOI) for Coverage Under
Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE. 5TH FLOOR

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DON ROMANCAK

Phone: 440-328-2323

Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00107*BG

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information:

Initial MS4 Co-Permittee Name: COLUMBIA TOWNSHIP

City: COLUMBIA STATION

State: Ohio

Zip Code: 44028

MS4 Contact Person: ROBERT C. RUNDLE; MICHAEL G. MUSTO

Phone: 440-236-8802

Fax: 440-236-8801

Facility Contact E-mail Address: Robert.rundle@columbiatwp-oh.gov; mmusto@msn.com

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romanca

Title:

Assistant Director

Signature:

Date:

1/9/14

*MLO
March*

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of Columbia Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and propose to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

03/22/2013 13:54 4402368802

MCM #1 - Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- o As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- o Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- o The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- o Provide link to County Storm Water district Website on Township Websites, if in existence.
- o Forward Webinar promotion information to township employees
- o Follow LCPIPE prepared public education plan in conjunction with County
- o Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 - Public Involvement / Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The County is responsible for the development of Public Involvement and Participation activities which may include:
 - o Storm Water Advisory Committee (SWAC)
 - o Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - o Solid and Hazardous Waste Disposal
 - o Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- o The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- o Townships are responsible to make sure that Involvement activities are advertised to Township employees and residents.

MCM #3 -- Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships
- o Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSS) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- o Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- o Pass resolution to prohibit Illicit Discharge if not already completed.
 - o Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls.
- Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- o Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- o Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 – Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- o Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- o Follow enforcement escalation plan outlined in the regulations.

Township Responsibility:

- o Comply with Construction Site Erosion Control Regulations
- o Report known violations to Lorain County

MCM #5 – Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

- Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- Perform as-built inspections
 - Provide maintenance of County owned BMP's.

Township Responsibility:

- Comply with Post Construction Storm Water Regulations
- Report known violations to Lorain County
- Provide maintenance of Township owned BMP's.

MCM #6 – Pollution Prevention / Good Housekeeping

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- Implement and follow SWP3 for Township Facilities
- Perform annual comprehensive site evaluation, as required
- Ensure Township Employees receive required training
- Log employee training hours
- Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: Date: 3/28/13

BOARD OF TRUSTEES OF
~~COLUMBIA~~ TOWNSHIP

By: Date: 11/19/12



Division of Surface Water

Co-Permittee Notice of Intent (NOI) for Coverage Under Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address:

MS4 (Applicant) Name: LORAIN COUNTY STORM WATER DISTRICT

Mailing Address: 226 MIDDLE AVE. 5TH FLOOR

City: ELYRIA

State: Ohio

Zip Code: 44035

MS4 Contact Person: DON ROMANCAK

Phone: 440-328-2323

Fax: 440-328-2349

Contact E-mail Address: dromancak@loraincounty.us

General Permit Number: 3GQ00117*BG

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*BG

II. Initial MS4 Co-Permittee Information

Initial MS4 Co-Permittee Name: SHEFFIELD TOWNSHIP

City: LORAIN

State: Ohio

Zip Code: 44055

MS4 Contact Person: DAVID NEWSOME

Phone: 440-308-6211

Fax: 440-277-1392

Facility Contact E-mail Address: davenewsome6211@gmail.com

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed):

Don Romancak

Title:

Assistant Director

Signature:

Date:

1/9/14

027-2012 Resolution

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the Board of Trustees of Sheffield Township (Township) on the date set forth below.

Recitals

WHEREAS, both the County and Township are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and MS4 Designated Townships collectively to coordinate and collaborate on compliance with the permit requirements; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through compliance with the Lorain County Storm Water District Storm Water Management Program (SWMP), which may be updated periodically, and performance of the following items outlined in the minimum control measures (MCM) 1 through 6:

MCM #1 – Public Education and Outreach on Storm Water Impacts

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Education and Outreach activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o County will develop Public Education materials for County and Township use. These may include a brochure on the newly developed Storm Water District, Erosion Control Factsheets, Post Construction Factsheets and a County Public Education Factsheet. The County will also develop and maintain a webpage with links to these brochures along with other information
- o As per the Storm water management program, the County will work with LCPIPE to prepare a public education plan each year which will provide education on a new storm water message each year while using more than one mechanism to get the message across. The County will target 50% of the population during each permit term (5 years).

Township Responsibility:

- o Townships will need to make the Factsheets developed by County available at Township Halls and other Township public meeting places.
- o The Storm Water District Brochure has already been printed by the County, Townships will need to keep them available to the public at township halls and other township public meeting places.
- o Provide link to County Storm Water district Website on Township Websites, if in existence.
- o Forward Webinar promotion information to township employees
- o Follow LCPIPE prepared public education plan in conjunction with County
- o Track number of educational materials distributed and report numbers back to County at end of each year.

MCM #2 – Public Involvement / Participation

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Public Involvement/Participation activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The County is responsible for the development of Public Involvement and Participation activities which may include:
 - o Storm Water Advisory Committee (SWAC)
 - o Lorain County Public Involvement and Public Education (LCPIPE) Work Group
 - o Solid and Hazardous Waste Disposal
 - o Lorain County Pride Day

- o Lorain County Adopt a Highway Program
- o The County will develop an annual public involvement and participation plan which will include a minimum of 1 event per year.

Township Responsibility:

- o Townships are responsible to make sure that Involvement activities are advertised to Township employees and residents.

MCM #3 - Illicit Discharge Detection & Elimination

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Illicit Discharge Detection & Elimination activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o Assist Townships with inventory of the current practices associated with Illicit Discharge Detection & Elimination Program (IDDE) within the Townships
- o Based on the inventory of current practices the County will develop an Illicit Discharge Detection & Elimination (IDDE) Program that will include the following components: (a) mapping the MS4 and its outfalls (with annual updates), (b) mapping the location of home sewage treatment systems (HSTSS) that discharge to the MS4 and compiling a list of addresses of those systems, (c) performing dry weather screening of all outfalls by the end of the current permit term, (d) developing an enforcement protocol and elimination plan for illicit discharges discovered during dry weather screening and other detection means, and (e) educating public employees, businesses and the general public to identify and report illicit discharges. Responsible parties for each of the components will be outlined in the IDDE Program.
- o Assist Townships to perform dry weather screening of outfalls in MS4s consistent with the SWMP.

Township Responsibility:

- o Pass resolution to prohibit Illicit Discharge if not already completed.
 - o Assist County in collection and inventory of current IDDE practices including providing information on:
 - o MS4 Outfalls (location and screening)
 - o MS4 Mapping information as necessary for County to develop comprehensive storm sewer system map
 - showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls.
- Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins,

pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

- o Assist County to perform dry weather screening of outfalls within the Township. The County will create a program outlining requirements and developing standard forms. The Townships will then need to use those forms to perform a dry weather screening of their outfalls.
- o Inform township employees, businesses and general public of educational opportunities relating to illicit discharge.

MCM #4 – Construction Site Storm Water Runoff Control

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Construction Site Storm Water Runoff Control activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Construction Site Erosion Control regulations that have been implemented and which must be followed by all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.
- o Target 1 site inspection per site per month at active construction sites or develop alternative inspection schedule based on the status of construction activities at the site.
- o Follow enforcement escalation plan outlined in the regulations.

Township Responsibility:

- o Comply with Construction Site Erosion Control Regulations
- o Report known violations to Lorain County

MCM #5 – Post Construction Storm Water Management

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Post Construction Storm Water Management activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with construction activities where the larger common plan of development or sale disturbs 1 or more acres of land. The County

Commissioners have granted to the Storm Water District and per the Storm Water District Bylaws to the District Director, responsibility to administer the regulations and ensure compliance.

- o Perform as-built inspections
- o Provide maintenance of County owned BMP's.

Township Responsibility:

- o Comply with Post Construction Storm Water Regulations
- o Report known violations to Lorain County
- o Provide maintenance of Township owned BMP's.

MCM #6 -- Pollution Prevention / Good Housekeeping

Refer to the Lorain County Storm Water District Storm Water Management Program (SWMP) for details on complete Pollution Prevention/Good Housekeeping activities and responsibilities, specific responsibilities for the County and Townships are outlined below:

County Responsibility:

- o Lorain County has developed a generic Operation and Maintenance Manual that can be used by the Townships. This manual will be updated by the County in 2012 and provided to the Townships.
- o Create Storm Water Pollution Prevention Plans (SWP3) for Township Facilities under the Ohio EPA MS4 permit coverage. Facilities subject to the permit are listed in the SWMP

Township Responsibility:

- o Expand upon and implement O & M manual for specific Township Facilities. These manuals must be updated for township facilities by the end of 2013.
- o Implement and follow SWP3 for Township Facilities
- o Perform annual comprehensive site evaluation, as required
- o Ensure Township Employees receive required training
- o Log employee training hours
- o Provide year end reporting to County

Lorain County will actively work to provide compliance with the EPA NPDES minimum control measures for which it is responsible as part of the MOU. However, the Township agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Township's responsibility to ensure compliance and maintain liability for said compliance pursuant to Ohio EPA NPDES permit No.: OHQ000002 Part III.C.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party.

LORAIN COUNTY STORM
WATER DISTRICT:

By: [Signature]

RECEIVED
MAR 28 2013

3/28/13

BOARD OF TRUSTEES OF
Sheffield TOWNSHIP

By: [Signature]

David Newsome, Chairman

Date: 11-19-2012



C

ATTACHMENT C

Resolution No.10-417 Illicit Discharge and Codified
Ordinance 915.07 Oberlin City

ILLICIT DISCHARGE RESOLUTION

B.12

RESOLUTION NO. 10-417

In the matter of establishing methods for)
controlling the introduction of pollutants)
into the MS4 in order to comply with)
requirements of the National Pollutant)
Discharge Elimination System permit)
process as required by OHEPA)

June 23, 2001

WHEREAS, the Lorain County Board of Commissioners establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System permit process as required by OHEPA; and

WHEREAS, this resolution is for illicit discharge and illegal connection control

I. PURPOSE AND SCOPE

The purpose of this regulation is to provide for the health, safety, and general welfare of the citizens of Lorain County, Ohio (County) through the regulation of illicit discharges to the municipal separate storm sewer system (MS4). This regulation establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process as required by the Ohio Environmental Protection Agency (Ohio EPA). The objectives of this regulation are:

- A. To prohibit illicit discharges and illegal connections to the MS4.
- B. To establish legal authority to carry out inspections, monitoring procedures, and enforcement actions necessary to ensure compliance with this regulation.

II. APPLICABILITY

This regulation shall apply to all residential, commercial, industrial, or institutional facilities responsible for discharges to the MS4 and on any lands in the County, except for those discharges generated by the activities excepted by state or federal law.

III. DEFINITIONS

The words and terms used in this regulation, unless otherwise expressly stated, shall have the following meaning:

- A. Best Management Practices (BMPs): means schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to storm water. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials' storage.
- B. Environmental Protection Agency or United States Environmental Protection Agency (USEPA): means the United States Environmental Protection Agency, including but not limited to the Ohio Environmental Protection Agency (Ohio EOA), or any duly authorized official of said agency.
- C. Floatable Material: in general this term means any foreign matter that may float or remain suspended in the water column, and includes but is not limited to, plastic, aluminum cans, wood products, bottles, and paper products.
- D. Hazardous Material: means any material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

- E. Illicit Discharge: as defined at 40 C.F.R. 122.26 (b)(2) means any discharge to an MS4 that is not composed entirely of storm water, except for those discharges to an MS4 pursuant to a NPDES permit or excepted by state or federal law.
- F. Illegal Connection: means any drain or conveyance, whether on the surface or subsurface that allows an illicit discharge to enter the MS4.
- G. Municipal Separate Storm Sewer System (MS4): as defined at 40 C.F.R. 122.26 (b)(8), municipal separate storm sewer means a conveyance or system of conveyances, (including roads with drainage systems, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
1. Owned or operated by a State, city, town, borough, county, parish, district, municipality, township, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over sewage, industrial wastes, including special districts under State law such as a sewer district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;
 2. Designed or used for collecting or conveying storm water;
 3. Which is not a combined sewer; and
 4. Which is not part of a Public Owned Treatment Works (POTW) as defined at 40 C.F.R. 122.2.
- H. National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorized the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.
- I. Off-Lot Discharging Home Sewage Treatment System: means a system designed to treat home sewage on-site and discharges treated wastewater effluent off the property into a storm water or surface water conveyance system.
- J. Owner/Operator: means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or on the owner's behalf.
- K. Pollutant: means anything that causes or contributed to pollution. Pollutants may include but are not limited to, paints, varnishes, solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes, yard wastes, refuse, rubbish, garbage, litter or other discarded or abandoned objects, floatable materials, pesticides, herbicides, fertilizers, hazardous materials, wastes, sewage, dissolved and particulate metals, animal wastes, residues that result from constructing a structure, and noxious or offensive matter of any kind.
- L. Storm Water: any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.
- M. Wastewater: The spent water of a community. From the standpoint of a source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions.

IV. DISCLAIMER OF LIABILITY

Compliance with the provisions of this regulation shall not relieve any person from responsibility for damage to any person otherwise imposed by law. The provisions of this regulation are promulgated to promote the health, safety, and welfare of the public and are not designed for the benefit of any individual or for the benefit of any particular parcel of property.

V. CONFLICTS, SEVERABILITY, NUISANCES & RESPONSIBILITY

- A. Where this regulation is in conflict with other provisions of law, the most restrictive provisions, as determined by the County shall prevail.
- B. If any clause, section, or provision of this regulation is declared invalid or unconstitutional by a court of competent jurisdiction, the validity of the remainder shall not be affected thereby.
- C. This regulation shall not be construed as authorizing any person to maintain a nuisance on their property, and compliance with the provisions of this regulation shall not be a defense in any action to abate such a nuisance.
- D. Failure of the County to observe or recognize hazardous or unsightly conditions or to recommend corrective measures shall not relieve the site owner from the responsibility for the condition or damage resulting therefrom, and shall not result in the County, its officers, employees, or agents being responsible for any condition or damage resulting therefrom.

VI. RESPONSIBILITY FOR ADMINISTRATION

The County shall administer, implement, and enforce the provisions of this regulation. The County may contract with the Board of Health to conduct inspections and monitoring and to assist with enforcement actions.

VII. DISCHARGE AND CONNECTION PROHIBITIONS

- A. Prohibition of Illicit Discharges. No person shall discharge, or cause to be discharged, an illicit discharge into the MS4. The commencement, conduct, or continuance of any illicit discharge to the MS4 is prohibited except as described below:

1. Water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration; uncontaminated pumped ground water; discharges from potable water sources; foundation drains; air conditioning condensation; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual residential car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; and discharges or flows from fire fighting activities. These discharges are exempt until such time as they are determined by the County to be significant contributors of pollutants to the MS4.
2. Discharges specified in writing by the County as being necessary to protect public health and safety.
3. Discharges from off-lot household sewage treatment systems permitted by the Board of Health for the purpose of discharging treated sewage effluent in accordance with Ohio Administrative Code 3701-29-02 (6) until such time as the Ohio Environmental Protection Agency issues a NPDES permitting mechanism for residential 1, 2 or 3 family dwellings. These discharges are exempt unless such discharges are deemed to be creating a public health nuisance by the Board of Health.

- B. Prohibition of Illegal Connections. The construction, use, maintenance, or continued existence of illegal connections to the MS4 is prohibited.

1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
2. A person is considered to be in violation of this regulation if the person connects a line conveying illicit discharges to the MS4, or allows such a connection to continue.

VIII. MONITORING OF ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS

A. Establishment of an Illicit Discharge and Illegal Connection Monitoring Program: The County shall establish a program to detect and eliminate illicit discharges and illegal connections to the MS4. This program shall include the mapping of the MS4, the routine inspection of storm water outfalls to the MS4, and the systematic investigation of potential residential, commercial, industrial, and institutional facilities for the sources of any dry weather flows found as the result of these inspections.

B. Inspection of Residential, Commercial, Industrial or Institutional Facilities

1. The County shall make regular general inspections of the County to determine the existence of facilities noncompliant with this regulation.
2. On the basis of the general inspection the County shall pursue a cooperative effort to remedy any noncompliant conditions through one or more of the following steps.
 - a. Enter and inspect the premises for further inspection as deemed necessary to determine compliance.
 - b. Set up devices to conduct monitoring and/or sampling of the facility's storm water discharge.
 - c. Require the facility owner/operator to install monitoring equipment as necessary, including sampling and monitoring equipment to be kept in operating condition by the owner and calibrated devices for measuring storm water flow.
 - d. Provide for reasonable follow-up inspection by the County to determine adherence to the monitoring plan. A schedule will be developed whereby owner/operator will allow County safe and reasonable access to the premises for inspection. Owner/operator shall remove obstructions to such access.
3. If the County is refused access to any part of the facility/premises from which storm water is discharged, and the County demonstrates probable cause to believe these may be a violation of this regulation, or there is a need to inspect and/or sample to verify compliance with this, or to protect the public health, safety and welfare, the County may seek issuance of a search warrant, civil remedies including but not limited to injunctive relief, and/or criminal remedies from any court of appropriate jurisdiction.

IX. ENFORCEMENT

A. Notice of violation. When the County finds that a person has violated a prohibition or failed to meet a requirement of this regulation, the County may order compliance by written Notice of Violation. Such notice must specify the violation and shall be hand delivered, and/or sent by registered mail, to the owner/operator of the facility. Such notice may require the following actions:

1. The performance of monitoring, analyses, and reporting;
2. The elimination of illicit discharges or illegal connections;
3. That violating discharges, practices, or operations cease and desist;
4. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; or
5. The implementation of source control or treatment BMPs.

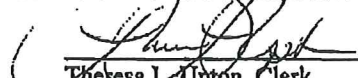
- B. If abatement of a violation and/or restoration of affected property is required, the Notice of Violation shall set forth a deadline within which such remediation or restoration must be completed. Said Notice shall further advise that, should the facility owner/operator fail to remediate or restore within the established deadline, a legal action for enforcement may be initiated.
- C. Any person receiving a Notice of Violation must meet compliance standards within the time established in the Notice of Violation.
- D. Administrative Hearing: If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, the County shall schedule an administrative hearing to determine reasons for non-compliance and to determine the next enforcement activity. Notice of the administrative hearing shall be hand delivered and/or sent registered mail.
- E. Administrative hearings shall be conducted by the Board of Commissioners, or by any officer or body designated by the Board of Commissioners by further resolution.
- F. Injunctive Relief: It shall be unlawful for any owner/operator to violate any provision or fail to comply with any of the requirements of this regulation pursuant to O.R.C. 3709.211. If an owner/operator has violated or continues to violate the provisions of this regulation, the County may petition for a preliminary or permanent injunction restraining the owner/operator from activities that would create further violations or compelling the owner/operator to perform abatement or remediation of the violation.
- X. **REMEDIES NOT EXCLUSIVE**

The remedies listed in this regulation are not exclusive of any other remedies available under any applicable federal, state or local law and it is in the discretion of the County to seek cumulative remedies.

Motion by Kalo, seconded by Kokoski to adopt Resolution. Ayes: Kalo & Kokoski / Absent: Blair had an appointment.

Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 10-417 is a true copy as it appears in Journal No. 10 on date of June 23, 2010.


Theresa L. Upton, Clerk

City of Oberlin

IDDE Ordinance

915.07 WASTEWATER TREATMENT REQUIRED.

No person shall discharge to any natural surface or subsurface drainage course, culvert, storm sewer, street gutter or drainage channel within the City, or lands owned by the City, any sewage or other polluted waters, except where effective and reliable treatment has been provided in accordance with the subsequent provisions of this section. Effective and reliable treatment shall be accomplished by connection to the Municipal sanitary sewer system or, in the absence of an abutting sewer main, by connection to a private treatment system approved by the County Health District and in conformance with the standards and specifications provided hereinafter. Any building that has sanitary facilities, or is used by human occupants for living or sleeping, must be connected to the sanitary sewer if such sewer abuts the building lot. (Ord. 95-20AC. Passed 4-3-95.)



D

ATTACHMENT D

Resolution No. 10-418 MOU between
Lorain County Commissioners
and
MS4 Townships

RESOLUTION NO. 10-418

A.13

In the matter of approving and entering into MOU's with the Townships of Grafton, Eaton, Columbia, Carlisle, Elyria, Sheffield and Amherst pursuant to Clean Water Act, Ohio EPA Phase II Program designating entities to develop and implement a program to detect and eliminate illicit discharges

June 23, 2010

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby approve & enter into MOU's with the Townships of Grafton, Eaton, Columbia, Carlisle, Elyria, Sheffield and Amherst pursuant to Clean Water Act, Ohio EPA Phase II Program designating entities to develop and implement a program to detect and eliminate illicit discharges.

Said MOU's are considered a part hereof to this resolution by as follows and can be found on file in the Commissioners/Purchasing/Township Office;

This Agreement entered into by and between the Board of Commissioners of Lorain County, Ohio (COUNTY) and the Board of Trustees of Township (TOWNSHIP)

WHEREAS, pursuant to the Clean Water Act, Ohio EPA Phase II program requires Phase II designated entities to develop and implement a program to detect and eliminate illicit discharges; and

WHEREAS, the COUNTY and TOWNSHIP DESIRE TO COLLABORATE EFFORTS TO COMPLY WITH Phase II requirements.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained, the parties hereto agree as follows:

1.0 PLEDGE OF COOPERATION

Understanding that the current economic conditions severely restrict the funding and other resources available to local government, the parties hereto desire to collaborate their efforts to comply with Phase II mandates regarding the regulation of illicit discharge so as to use funding so as to avoid duplication and be economically efficient.

COUNTY agrees to dedicate its personnel and departments to assist and work in conjunction with the TOWNSHIP to fulfill the goals set forth hereafter. This will include the office so the Lorain County Engineer, Lorain County Auditor, Lorain County Health Department, Lorain County Community Development, Lorain County Soil & Water, Lorain County Emergency management and Lorain County Prosecuting Attorney.

TOWNSHIP agrees to dedicate its personnel and departments to assist and work in conjunction with the COUNTY to fulfill the goals set forth hereafter. This will include the Township Zoning Inspector and Zoning boards, the Road Superintendent and Road Department, and all other administrative staff.

2.0 DETECTION AND ELIMINATION OF ILICIT DISCHARGES

COUNTY and TOWNSHIP shall use their best efforts, to the extent permitted by available funding, to achieve the detection and elimination of illicit discharges by implementing the following programs.

- 2.1 Conduct public education on illicit discharges. Employees, businesses and the general public will be informed of the hazards associated with illicit discharges and the improper disposal of waste. This will be accomplished through public programs and distribution literature. The County Soil & Water is currently accomplishing this through its PIPE program, and video the County Health Department has produced and broadcasts videos. The TOWNSHIP circulates information through newsletters and postings at Township buildings.
- 2.2 Enactment of illicit discharge regulations. COUNTY and TOWNSHIP are in the process of and will forthwith enact regulations prohibiting illicit discharges in their respective jurisdictions.
- 2.3 Detection of illicit discharges. COUNTY and TOWNSHIP are currently identifying illicit discharge locations. The County Health Department is identifying home sewage treatment systems. TOWNSHIP road personnel and administrative staff are locating outfalls. The information gathered will be submitted to the Lorain County Engineer and Auditor to prepare a map of the MS4 system. The parties will strive to update the map annually with the objective of identifying by 2014, all storm sewers, ditches, catch basins, publicly owned storm water management structures and all privately owned post construction BMP's installed since April 21, 2003.
- 2.4 Inspection of COUNTY and TOWNSHIP will cooperate in field surveys and inspections of outfalls and home sewage systems for detection of illicit discharges. Documentation and reports regarding the inspections will be shared with each other, as well as OHIO EPA. Dry weather screening of all outfalls is to occur by 2014. Upon location of an illicit discharge, steps will be taken in accordance with the local regulations adopted pursuant to Section 2.2, to eliminate the illicit discharge by the owner.
- 2.5 Enforcement. In the event voluntary remediation by the owner is not accomplished in a timely manner, referral will be made to the Lorain County Prosecuting Attorney. The Prosecuting Attorney shall proceed with all remedies allowable by law including civil injunction and/or criminal prosecution necessary to obtain compliance with the Clean Water Act.
- 2.6 Best Management Practices. COUNTY and TOWNSHIP shall implement Best Management Practices to avoid illicit discharges. This will include training and instruction to public employees, information to the general public, monitoring of private home sewage systems and implementation of reasonable protection from accidental discharge, including establishing measurable goals, when illicit discharges are detected.

June 23, 2010

Resolution No. 10-418 cont.

3.0

TERMINATION

This Agreement may be terminated by either party upon sixty (60) day written notice to the other party.

S/BOARD OF COMMISSIONER OF LORAIN COUNTY

S/BOARD OF TOWNSHP TRUSTEES

S/APPROVED AS TO FORM; Gerald A. Innes, Assistant County Prosecutor

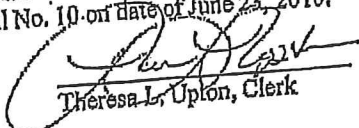
Motion by Kalo, seconded by Kokoski to adopt Resolution, Ayes: Kalo & Kokoski /

Absent: Blair had an appointment.

Motion carried.

(discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 10-418 is a true copy as it appears in Journal No. 10 on date of June 23, 2010.


Theresa L. Upton, Clerk



E

ATTACHMENT E

Resolution No. SWD-15-7 MOU between
Lorain County Commissioners
and
The City of Oberlin

FILE COPY

RESOLUTION NO. SWD-15-7

In the matter of approving and entering into)
 A MOU with the City of Oberlin for) May 20, 2015
 For stormwater services)

BE IT RESOLVED, by the Lorain County Stormwater Management District we hereby approve and enter into a MOU with the City of Oberlin for stormwater services.

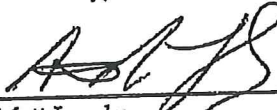
FURTHER BE IT RESOLVED, City of Oberlin will become co-permittees under the NPDES.

BE IT FURTHER RESOLVED, said contract is considered a part hereof to this resolution by reference thereto and can be found on file in the Commissioners/Purchasing & Stormwater Office.

Motion by Lori Kokoski, seconded by Matt Lundy to adopt. Upon roll call the vote taken resulted: Ayes: All
 Motion carried. _____ (discussion was held on the above)

CERTIFICATE OF SECRETARY/TREASURER

I, hereby certify that the foregoing is a true and correct copy of Resolution No. SWD-15-7, adopted on the 20th day of May 2015.


 Matt Lundy
 Secretary/Treasurer

CC - Stormwater - Romaine
 Lisa Hobbitt - Board Director
 K. Saunders - Purchasing



Division of Surface Water
Co-Permittee Notice of Intent (NOI) for Coverage Under
Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address

MS4 (Applicant) Name: City of Oberlin

Mailing Address: 85 South Main St.

City: Oberlin

State: Ohio

Zip Code: 44074

MS4 Contact Person: Jeff Baumann

Phone: 440-775-7204

Fax: 440-775-7208

Contact E-mail Address: jbaumann@cityofoberlin.com

General Permit Number: OHQ000003

Initial Coverage: ☐

Renewal Coverage: ☒

Existing Ohio EPA Facility Permit Number Requesting Coverage Under: 3GQ00095*

II. Initial MS4 Co-Permittee Information

Initial MS4 Co-Permittee Name: Lorain County Storm Water District

City: Elyria

State: Ohio

Zip Code: 44035

MS4 Contact Person: Don Romancak

Phone: 440.328.2362

Fax: 440.328.2349

Facility Contact E-mail Address: dromancak@loraincounty.us

III. 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 the fine and imprisonment for knowing violations.

Applicant Name (printed or typed): Eric P. Norenberg

Title: City Manager

Signature: 

Date: 7/8/15

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water District (County) and the City of Oberlin (City) on the date set forth below.

Recitals

WHEREAS, both the County and City are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, the City has need of a Storm Water Utility Fee and Business Plan; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint development of a Storm Water Utility Fee and Business Plan as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in this venture using the following approach:

The County will utilize prior experience and the project team (Team) to assist the City in the implementation of a Storm Water Utility Program. Project team members are expected to include: Lorain County Storm Water Management Team and Storm Water Management District Consultants that assisted on the formation of the Lorain County Storm Water District.

Costs associated with said implementation will be paid upfront by the County with 100% reimbursement from the City to the County. Said payments shall begin with the earlier of completing the tasks contained within this MOU or September 30, 2014, with payments due quarterly. Should the City move forward with the Storm Water Utility Implementation, reimbursement will extend to a 3 year term paid annually with the first payment due 6 months following utility billing startup or June 1, 2016, whichever comes first (first collection date may be extended by mutual agreement of both parties). Payback to the County will be at 0% interest. The City will reimburse the County within 30 days of the date of each invoice. The City may, at its option repay the County at an accelerated rate with no penalty.

This MOU specifically covers Phase 1 of the City's Storm Water Utility Implementation. If at the conclusion of Phase 1, the City decides to join the Lorain County Storm Water District and both parties agree to the terms, repayment of the implementation costs noted herein may be waived.

Phase 2 of the City Storm Water Utility Implementation may be financed by the County under the same terms and conditions outlined herein or such terms and conditions that are found to be mutually agreeable.

Phase 1 of the program will:

1. Determine the level of service and cost of service required for the City of Oberlin.
2. Analyze the activities that could be performed by the County and compare cost of the County performing the activities versus the City performing said activities.
3. Determine the feasibility of including the City in the Lorain County Storm Water District.

The detailed scope for Phase 1 includes:

Task 1 – Data Collection and Kickoff Meeting

The purpose of this task is to solidify the Team's understanding of the City of Oberlin's goals for establishing a storm water utility program. The Team will draw on the knowledge and experience of City staff to develop a meaningful and useful scope. Specific subtasks include:

1.a Initial Data Collection Questionnaire. A data collection questionnaire will be developed and emailed to City staff. The questionnaire will assist both the Team and City Staff in organizing the data required for the project. The questionnaire will be emailed to City staff to kick off the project and allocate City staff time to collect most, if not all of the data prior to holding the kickoff conference call meeting.

1.b Kickoff Conference Call. A conference call meeting will be held with appropriate City staff to kickoff the project. The conference call meeting will assist both the Team and City Staff in reviewing, organizing and discussing the requested information in the questionnaire for said project.

Task 2 – Organize a Technical Advisory Committee (TAC)

2.a Prepare and Hold TAC Meetings. The Team will prepare and distribute meeting agendas and documents to be reviewed and discussed for (2) two on site TAC status meetings. The monthly TAC meetings will be used to review, present, discuss and develop draft program recommendations. The TAC meetings will vary in time length from 2 to 3 hours per meeting. The longer than usual meetings are required to minimize costs and maximize meeting time with City staff and the Team.

2.b Prepare and Hold TAC Conference Call Meetings. The Team will prepare and distribute (through e-mail) meeting agendas for telephone conference calls. We assume 3 TAC conference call meetings. The conference calls are used to minimize costs to follow up each TAC meeting.

Task Products:

1. The Team will prepare and distribute (through e-mail) on-site TAC meeting agendas.
2. The Team will prepare and distribute (through e-mail) telephone conference call TAC meeting agendas.
3. The Team will prepare and distribute (through e-mail) meeting minutes.

Task Assumptions:

1. The City will provide the meeting space for all on-site TAC meetings.
2. Conference calls will be the mode of operation for meetings to minimize costs.

Task 3 - Database Evaluation

Data analysis and review is expected to be one of the major components of Phase 1. Data analysis and review is necessary to determine that sufficient data is available to properly develop the storm water utility program business plan and billing file. The purpose of this task is to determine data availability, identify the repository(s), determine how to acquire all information and how relevant, pertinent, and legally defensible the City of Oberlin's data is for the storm water utility program, which is necessary and required for the completion of the project. A recommendation on the most efficient and effective use of available Geographic Information System (GIS) data and what additional steps may be required to use the data in a legally defensible manner will also be determined.

3.a Data Collection.

The Team will:

1. Receive and review any existing reports, databases, drawings, or other information necessary to understand the issues, problems, and opportunities of the City of Oberlin storm water utility program;
2. Receive and review a copy of the Lorain County Auditor's property tax record billing file that should include at a minimum, the following data fields of information. The Team will work with the Lorain County Auditor's office to determine the exact parcels located within the City of Oberlin:
 - a) Property or parcel ID number (PIN);
 - b) Property or parcel service address;
 - c) Owner name;
 - d) Owner mailing address;
 - e) Jurisdictional location code (if not included as part of the property or parcel ID number field);
 - f) Property dimensions and/or property size measurement;
 - g) Any fields that have been created or developed that relate properties or parcels with like ownership (parent - child);
 - h) Property or parcel land use codes and/or descriptions and a land use description table;
 - i) Any fields of data that have been created or developed that relate properties or parcels to the GIS database (if other than property or parcel ID number);
 - j) Any other fields of data that may assist in developing the storm water billing database file.
3. Subject to the Non-Disclosure and Confidentiality provision set forth hereinafter, receive and review a copy of the City of Oberlin's water, wastewater and refuse billing database file (in Microsoft Excel or Access format) that should include at a minimum, the following data fields of information:
 - a) Billing account number;
 - b) District number (if applicable);
 - c) Services code (water, wastewater and solid waste);
 - d) Property service address;
 - e) Owner or tenant code;
 - f) User name;
 - g) Owner name, if other than the user;
 - h) Billing address (if differs from service address);
 - i) Any fields of data such as water and/or sewer meter size that may assist in determining the current land use for each billing account;
 - j) Any other data fields that have been created or developed that may indicate the current land use for

- each billing account;
 - k) Property or Parcel ID number (PIN) linking the City billing database file to the County Auditor's property tax billing database file or GIS parcel layer (if exists);
 - l) Land use classification used to assign billing units;
 - m) Class code (residential or non-residential) if applicable;
 - n) Any other data fields that have been created or developed that relate City billing accounts to the Lorain County Assessor's tax billing database file (if any exist);
 - o) Any fields of data that have been created or developed that relate billing accounts to the GIS parcel database (if any exist);
4. Receive and review a copy of the City of Oberlin GIS and/or Lorain County GIS parcel layer (shapefile), and all other layers that may be used to determine or develop the impervious area measurement for a property or parcel. A current copy of the City of Oberlin and/or Lorain County digital aerial photography should be included.

3.b Data Conditions Analysis Policy Paper. A data conditions policy (white) paper will be prepared to present the findings from the billing system data review.

Task Assumptions:

1. The City of Oberlin will supply all available cost information as well as assist in seeking out other sources of information as required.

Task Products:

1. The Data Conditions Policy Paper that will include:
 - ◆ An analysis of the current water, wastewater, refuse billing system data.
 - ◆ An analysis of the Lorain County Auditor's property tax billing database.
 - ◆ An analysis of the City or County GIS data.

Task 4 - Develop a Storm Water Strategic Business Plan

Implementing a successful storm water utility program requires developing a formal, flexible strategic business plan that provides guidance both now and in the future. The purpose of this task is to formulate a long-term strategic plan that is the basis for the "Storm Water Business Plan."

- 4.a **Discuss and Develop a Storm Water Utility Program Mission and Goal Statements.** The Team will develop a draft storm water utility program Mission Statement and Goal Statements and review with City staff for input.
- 4.b **Strategic Business Plan Paper.** The Team will document a strategic business plan paper in a policy paper document.

Task Products:

1. Strategic Business Plan Policy Paper.

Task 5 - Perform a Level of Service / Cost of Service Analysis

The Team will define a level of service / perform a cost of service analysis based on and consistent with the program mission statement and/or goal statements from the business plan.

- 5.a Storm Water Functional Elements.** Based upon input from City staff through the data collection process, and from The Team's previous experience assisting other Ohio communities, a specific description of program elements will be developed and used to meet the storm water utility program. These program elements will include the following:
- Administration (including billing, collection and customer service costs)
 - Maintenance
 - Operations
 - Planning
 - Enforcement
 - Regulatory
 - Water Quantity
 - Water Quality (NPDES Permit)
 - Other Environmental Issues (CSO's and SSO's)
 - Capital Improvements Program (CIP)
 - Other
- 5.b Identify "Required Minimum" Level of Services.** The Team will develop a "required minimum" level of service plan for the City of Oberlin Storm Water Utility Program for a five (5)-year period from 2013 through 2017.
- 5.c Identify "Required Minimum" Cost of Services.** The Team will develop a "required minimum" cost of service plan for the City of Oberlin Storm Water Utility Program for a five (5)-year period from 2013 through 2017.
- 5.d NPDES Permit Activities.** The Team will incorporate the City of Oberlin Storm Water Utility Program NPDES Permit plan and cost assumptions into the cost of service computer model. It will be the responsibility of the City to provide cost associated with the NPDES permit activities.
- 5.e County/City Comparison.** As part of the cost analysis, the Team will perform a review of activities that could be managed by the County in conjunction with their storm water utility activities. A comparison of cost will be included with these activities to determine if it is cost effective to have these activities managed by the County. It is anticipated that costs associated with storm water quality (NPDES permit) may be managed by the County whereas costs associated with quantity (flood control, infrastructure maintenance, etc.) will be managed by the City.

Task Assumptions:

- It will be the responsibility of the City to provide cost associated with the flooding and drainage activities and costs.
- It will be the responsibility of the City to provide cost associated with the NPDES permit activities and costs.

Task Products:

1. Level of Service and Cost of Service Policy Paper that will include:
 - A five-year Cash Flow Analysis.
 - Five-year range of ERU rates.
 - An interactive Microsoft Excel™ model for the purpose of showing various iterations of the Level of Service / Cost of Service and resulting revised rates.

Task 6 – Range of Rate Analysis

The Team will develop and determine an estimate of rate ranges and the associated revenues for the minimum level of service cost of service analysis based on the results of Task 5 above.

- 6.a **Range of potential rates and revenue.** The Team will calculate a range of rates and revenues that will be required to meet the minimum level of service and cost of service.

Task Products:

1. A range of potential rates and revenues will be generated based on the minimum level of service / cost of service analysis.

Task 7 – City Council Presentation

- 7.a **Prepare City Council Presentation.** A formal PowerPoint™ presentation will be made to City Council on the storm water program implementation options and associated costs.

Task 8 – Executive Summary Final Report

- 8.a **Document and Prepare Draft Executive Summary Final Report.** The purpose of this task is to prepare a draft executive summary final report with conclusions and recommendations to City Staff in digital PDF format only.
- 8.b **Finalize Executive Summary Final Report.** The purpose of this task is to incorporate all city staff comments and prepare a final executive summary report and submit to City Staff in digital PDF format only.

Following the completion of the final report, the County and City will need to determine in what manner to move forward on implementation of the Storm Water Utility for the City. Options include some type of joint venture between the County and City with shared responsibilities or development of a completely separate storm water utility by the City. The outcome of this decision will determine Phase 2 tasks required to implement the storm water utility. Accordingly, Phase 2 tasks are not part of this MOU and will be developed in a separate MOU with associated costs.

The City's Responsibility:

1. Subject to the Non-Disclosure and Confidentiality provision set forth hereunder, furnish to the Team all existing records and reports, and other financial and billing information pertinent to the storm water management utility rate analysis at no cost to the Team. It shall be the City's responsibility to provide the Team this information as requested within a reasonable time frame and in an organized manner. The Team shall rely on this information as being complete and accurate.
2. Furnish the Team with office space, telephone, and proper work area when the Team is on-site.
3. Furnish to the City, assistance from the Legal Department, Finance/Accounting Department, Planning and the Utility staff, by providing and developing the information, statistics, etc., required for the purpose of this study.
4. Subject to the Non-Disclosure and Confidentiality provision set forth hereunder, the City will make its resources and data available to the Team. These resources include, but are not limited to: staff; studies; documents; policies (written and unwritten); strategies; etc.

5. The City accepts the process/method of "estimating" and/or "forecasting" the number of ERU's based on the data conditions analysis, for the needs analysis phase of the project.

Project Schedule:

It is anticipated that Phase 1 tasks can be completed within 4 months of authorization to proceed. This timeframe is dependent on timely responses and decision making from the City.

Non-Disclosure and Confidentiality

During the course of completing the work under this MOU, the agents and employees of the County and the Team may obtain confidential and privileged information and data from the City. Accordingly, and in order to ensure that said data and information remain privileged and confidential, the County, its employees and agents, and the Team, agree not to share, release, disclose, provide, or otherwise make available to any entity or person any such confidential or privileged information or data, or make any use thereof, other than in providing the task products and reports described in this MOU to the City, without the express written consent of the City.

Project Fee:

Phase 1: \$31,000

Phase 2: TBD

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party. In the event this MOU is terminated, the City shall be responsible for only those costs incurred up to and including the date of termination. Upon receipt of a final invoice, the City shall pay any outstanding balance to the County with sixty (60) days.

LORAIN COUNTY STORM
WATER DISTRICT:

By: 

Date: 6/25/14

CITY OF OBERLIN:

By: 

Eric Norenberg, City Manager

Date: June 6, 2014

Approved as to form:

By: 

Jon D. Clark, Law Director

Date: 6/10/2014

Task Products(s):

1. The KEM/ERC Team will prepare the following Billing Policy Papers:

- ▲ Select the Appropriate Billing Mechanism;
- ▲ Data Conditions and billing system programming;
- ▲ Coordination of Data and Data Sources;
- ▲ Definition of Residential and Non-Residential Property Types;
- ▲ Definition of Impervious Area (including gravel);
- ▲ Rounding Protocol (Billing in Whole ERUs);
- ▲ Exemptions;
- ▲ Public and Private Roadways;
- ▲ Apartments;
- ▲ Condominiums;
- ▲ Mobile Home Parks;
- ▲ Strip Malls/Office Parks/Malls;
- ▲ Special Situation, Pools, Railroad yards etc;
- ▲ Tax Exempt Properties;
- ▲ ERU Determination;
- ▲ Miscellaneous Issues;
- ▲ Customer Service;
- ▲ Technical Advisory Committee (TAC) Duties and Responsibilities;
- ▲ Stormwater Advisory Committee (SWAC) Duties and Responsibilities;
- ▲ Residential Properties with more than one (1) parcel containing Impervious area.

Task 10—Update and Finalize the Stormwater Strategic Business Plan

Implementing a successful stormwater utility program requires developing a formal, flexible strategic business plan that provides guidance both now and in the future. The purpose of this task is to formulate a long-term strategic plan that is the basis for the "Stormwater Business Plan".

- 10.a **Strategic Business Plan Paper.** The KEM/ERC Team will document updates to the strategic business plan paper based on input from the TAC, SWAC and City Council.

Task Products:

1. KEM/ERC will provide the City of Oberlin with a final version of the Stormwater Strategic Business Plan Policy Paper.
2. Two meetings with the TAC will be held to review, discuss and revise the Stormwater Strategic Business Plan and update the level of service/cost of service analysis noted under Task 11.

Task 11 – Update and Finalize the Level of Service / Cost of Service Analysis

The KEM/ERC Team will update the level of service /cost of service analysis based on input from the TAC, SWAC and City Council and will reflect the services outlined in the Stormwater Strategic Business Plan.

- 11.a **Stormwater Functional Elements.** Based upon input from City staff through the data collection process, and from the KEM/ERC Team's previous experience assisting other Ohio communities, a specific description of program elements will be developed and used to meet the stormwater utility program goals.
- 11.b **Identify "Required Minimum" Level of Service/Cost of Service.** The KEM/ERC Team will update the "required minimum" level of service/cost of service plan for the City of Oberlin Stormwater Utility Program and develop a five (5)-year plan.
- 11.c **NPDES Permit Activities.** The KEM/ERC Team will incorporate the City of Oberlin Stormwater Utility Program NPDES Permit plan and cost assumptions into the cost of service computer model. It will be the responsibility of the City to provide cost associated with the NPDES permit activities.

1. The City will make its resources and data available to the KEM/ERC Team. This will include all reports, photographs, videos, complaint records, policies (written and unwritten), and media responses on stormwater issues and problems.
2. Any and all programming associated with and/or necessary for implementing and uploading the Base Master Billing File will be supplied by the City at no cost to the KEM/ERC Team. All land records, parcel information, and mapping will be made available at no charge to the KEM/ERC Team.
3. The cost estimate is based on the ERU rate structure method.

Task14-Rate Study Analysis

The KEM/ERC Team will evaluate revenue levels and project revenue requirements for the five-year period during which the rates and funding plan will be in effect. The purpose of this task is to develop and project utility revenue requirements including all cost of service functional activities, debt service and capital requirements, growth and expense estimations.

- 14.a Project Utility Expenses.** Based upon at least two years of historical financial information, currently applicable budgets, and reasonable assumptions concerning growth, new costs for the Utility, City reports, and cost escalations, a projection of total utility expenditures for City services funded through the stormwater utility enterprise fund will be developed.
- 14.b Project Utility Revenues.** The KEM/ERC Team will project revenues and allow for growth in the stormwater customer base.
- 14.c A Rate Structure Policy Paper will be presented by KEM/ERC Team.** The KEM/ERC Team will prepare a policy paper using impervious areas as the rate structure for City review.

Task Products:

1. A Microsoft Excel™ electronic spreadsheet file will be furnished to City staff for ease and use in modifying assumptions used during the Rate Study. A Rate Study and Cash Flow Analysis "Financial Fact Sheet" Paper will document the results of this task.

Task15-Cash Flow Analysis

The KEM/ERC Team will develop a five-year cash flow analysis that will be incorporated in a user friendly computer model.

- 15.a Develop Cash Flow Analysis.** Based on the results of the revenue requirements as a result of the rate study analysis, a five-year cash flow analysis will be developed for the five-year period the rates will be in effect.
- 15.b Develop a Computer Model for the Analysis.** A computer cash flow model will be used in this analysis for the City. A five-year pro forma (computer model) which is the basis for the action plan will be developed and used to assist in analyzing and implementing the detailed five-year revenue requirements and cost of service program. The "required minimum" will be included in this analysis.

Task Products:

1. A Microsoft Excel™ electronic spreadsheet file will be furnished to City staff for ease and use in modifying assumptions used for the cash flow analysis.

Task 16 - Development and Implementation of Billing and Collection Procedures For Every Parcel

The KEM/ERC Team will develop an account structure and assign a land use designation for every active parcel based on billing policies established by the TAC.

- 16.a Determine and Prepare the Base Master Account File Structure.** The KEM/ERC Team will develop an account structure and assign a land use designation for every active parcel based on billing policies established by the TAC. All billing parcels will be designated as either single-family residential or non-residential. Examples of non-residential accounts include industrial, commercial, and institutional categories.
- 16.b Parcel Areas.** The KEM/ERC Team will collect Lorain County Auditor and/or City GIS mapping data for all parcels located within the City of Oberlin stormwater utility service area.

Task 18 – The KEM/ERC Team will assist the City in Organizing a Stormwater Advisory Committee (SWAC)

The KEM/ERC Team will assist the City in the formation of a Stormwater Advisory Committee (SWAC) to assist in reviewing and/or revising program decisions, policies and procedures developed by the TAC in establishing the stormwater management program, and in gaining public support. This task includes preparation of a menu of stormwater management goals, the SWAC meeting agendas, and attendance reports for up to four (4) meetings. The SWAC will give participants the opportunity to participate during the formation of the stormwater utility and will assist the City in the following:

- Obtaining support from the general public as well as support from professional, civic and special interest groups within the general public; and
- Building consensus and gauge the level of interest in public participation in stormwater program activities within the community in order to set meaningful measurable goals for these aspects of the program.

The Stormwater Advisory Committee (SWAC) will be comprised of representatives from the City, local residents, businesses, schools, churches, and civic groups to provide input into the development of the City's stormwater utility program. The KEM/ERC Team will facilitate the meetings, provide education for the committee members, and utilize other materials such as guidance documents to assist in the utility formation. Committee recommendations will be noted and incorporated into the appropriate documents.

- 18.a Organize a Stormwater Advisory Committee (SWAC).** The KEM/ERC Team will assist the City in developing a Stormwater Advisory Committee (SWAC) that will be charged with reviewing and providing input on all relevant issues and policies relating to the stormwater utility program and implementation plan.
- 18.b Prepare Presentation Material for SWAC Meetings.** The KEM/ERC Team will prepare presentation materials for all four (4) SWAC meetings.
- 18.c Facilitate and Reach Consensus at SWAC Meetings.** The KEM/ERC Team will facilitate up to four (4) Stormwater Advisory Committee (SWAC) meetings and solicit input and consensus building on all relevant issues and stormwater policies for the stormwater utility program, including developing a definition for consensus.

Task Assumptions:

1. The KEM/ERC Team will attend and facilitate 4 SWAC meetings.
2. Meeting minutes will be documented through the policy papers PowerPoint presentations discussed at each meeting. If separate meeting minutes are necessary, they will be prepared by City staff.

Task Products:

1. The KEM/ERC Team will recommend agencies, departments, businesses and other organizations that should be represented on the Stormwater Advisory Committee. City staff will be responsible for identifying individuals to participate on the SWAC and submitting its recommendations to the Administration. The SWAC should serve at the pleasure of the Administration.
2. The KEM/ERC Team will review and comment on meeting agendas, which will be prepared and distributed by the City staff.

Task 19 - Design and Prepare a Public Involvement/Education Outreach Program.

The purpose of the Public Involvement/Education Program is to develop a process to inform, educate, and generate public support for the overall stormwater utility program. The KEM/ERC Team has identified activities to support and promote the stormwater program. This includes developing a program brochure, and developing FAQ's for the City web site and working with the web master to create a new stormwater utility page on the City web site.

- 19.a Communications Launch Plan.** A communications plan will be developed for the overall stormwater utility program as follows:
- Develop a plan and attend one public meeting to allow the public to provide input on the stormwater utility program.

Task 21 – TAC Meetings

- 21.a Prepare and Hold TAC Meetings.** The KEM/ERC Team will prepare and distribute meeting agendas and documents to be reviewed and discussed for 6 on site TAC meetings. The monthly TAC meetings will be used to review, present, discuss, and develop draft program recommendations. The TAC meetings will vary in time length from 2 to 3 hours per meeting. Longer than usual meetings are required to minimize costs and maximize meeting time with City staff and consultant team.

Task 22 – City Council Presentation

- 22.a Prepare City Council Presentation.** A formal PowerPoint™ presentation will be made to City Council on the stormwater program implementation.

Task 23 – Final Report

- 23.a Document and Prepare Draft Executive Summary Final Report.** The purpose of this task is to prepare a draft executive summary report with results, findings, conclusions, and recommendations to City Staff in digital PDF format only.
- 23.b Document Prepare and Finalize Executive Summary Final Report.** The purpose of this task is to incorporate all city staff comments and prepare a final executive summary report to submit to City Staff in digital PDF format only.

The County's Responsibility:

1. Furnish to the KEM/ERC Team all existing records and reports, and other financial and billing information pertinent to the stormwater management utility rate analysis at no cost to the KEM/ERC Team. It shall be the City's responsibility to provide the KEM/ERC Team with this information as requested within a reasonable time frame and in an organized manner. The KEM/ERC Team shall rely on this information as being complete and accurate.
2. Furnish the KEM/ERC Team with office space, telephone, and proper work area when the KEM/ERC Team is on-site.
3. Assistance from the Legal Department, Finance/Accounting Department, Planning and the Utility staff, in providing and developing the information, statistics, etc., required for the purpose of the study.
4. The City will make its resources and data available to the KEM/ERC Team. These resources include, but are not limited to: staff; studies; documents; policies (written and unwritten); strategies; etc. Specifically, we expect that the City will provide details of data and methodologies employed in developing the provisional rates.
5. The City accepts the process/method of "estimating" and/or "forecasting" the number of ERU's based on the data conditions analysis, for the needs analysis phase of the project

Oberlin Co-Permittee Services (MCM 3 and 6)

MCM#3 – Illicit Discharge Detection & Elimination (\$24,000)

1. Inventory current Illicit Discharge Detection & Elimination Program (IDDE) practices within the City.
2. Based on the inventory of current practices develop an Illicit Discharge Detection & Elimination (IDDE) Program.
3. Forward model legislation consistent with existing County legislation to implement IDDE Program.
4. Screen outfalls within the City and apply its protocols as established in its IDDE Program.
5. Provide results of number of screenings, and data related to screenings.

MCM#6 – Pollution Prevention / Good Housekeeping (\$15,000)

1. Utilize Lorain County Operation and Maintenance Manual and update as needed to incorporate the City of Oberlin

STANDARD TERMS AND CONDITIONS

SECTION 1 - SCOPE

1.1 Scope of Services. The ENGINEER shall provide the services identified in "Scope of Services" (SERVICES), as identified as the responsibility of the "Project Team" which shall be defined as the ENGINEER, its agents and employees.

1.2 Notice to Proceed. SERVICES required under this AGREEMENT shall not commence until the ENGINEER receives a signed AGREEMENT from the CLIENT.

1.3 Changes in the Scope of Services. The CLIENT may, at any time, by executing an "Amendment to CLIENT-ENGINEER Agreement", make changes within the general scope of the AGREEMENT or SERVICES to be performed. If such changes cause increases or decreases in the ENGINEER'S costs, an equitable adjustment shall be made and this AGREEMENT shall be amended. The costs of such changes shall be negotiated prior to performance of the SERVICES and in a manner consistent with this initial agreement.

1.4 Opinion of Probable Construction Cost. Since ENGINEER has no control over cost of labor, materials, equipment or services furnished by others, over contractors methods of determining prices, or over competitive bidding or market conditions, its estimates of project construction cost will be made on the basis of its employees experience and qualifications and will represent their best judgment as experienced and qualified professionals, familiar with the construction industry. ENGINEER does not guarantee that proposals, bids or actual construction cost will not vary from its Opinion of Probable Construction Cost. If the CLIENT wishes an additional opinion as to the probable construction cost, the CLIENT shall employ and independent cost estimator.

1.5 Time Period. The ENGINEER shall complete its obligation within a reasonable time. Specific periods of time for rendering services are set forth or specific dates by which services are to be completed are provided in "ENGINEER'S Scope of Services", and are hereby agreed to be reasonable. If, through no fault of ENGINEER, such periods of time or dates are changed, or the orderly and continuous progress of ENGINEER'S services is impaired, or ENGINEER'S services are delayed or suspended, then the time for completion of ENGINEER'S services, and the rates and amounts of ENGINEER'S compensation, shall be adjusted equitably. If CLIENT authorizes changes in the scope, extent, or character of the PROJECT, then the time for completion of ENGINEER'S services, and the rates and amounts of ENGINEER'S compensation, shall be adjusted equitably. CLIENT shall make decisions and carry out its other responsibilities in a timely manner so as not to delay the ENGINEER'S performance of its services.

1.6 Delays. ENGINEER is not responsible for delays due to factors beyond its control. If CLIENT requests changes in project, compensation for, and time of performance of ENGINEER'S services shall be adjusted appropriately. Promptly notify ENGINEER when CLIENT learns of any development that affects scope of timing of ENGINEER'S services.

1.7 Substantial Completion. SERVICES shall be considered substantially complete for statute of limitation purposes on the date of the final invoice submitted by ENGINEER to CLIENT.

SECTION 2 - CLIENTS RESPONSIBILITIES

The following are the responsibility of the CLIENT, including but not limited to:

2.1 Designate CLIENT'S representative with authority to receive information and transmit instructions for CLIENT. Changes in this individual may require additional fees.

2.2 Designate CLIENT'S requirements for project, including objectives and constraints, design and construction standards, bonding and insurance requirements and contract forms.

2.3 Provide available information pertinent to project, upon which ENGINEER may rely.

2.4 Arrange for safe access by ENGINEER upon public and private property as required.

2.5 Examine documents presented by ENGINEER, obtain legal and other advice as CLIENT deems appropriate, and render written decisions and approvals within reasonable time.

2.6 Obtain consents, approvals, licenses, and permits necessary for project and not included in ENGINEER'S Scope of Services.

2.7 Advertise for, and open, bids when scheduled. ENGINEER may assist in these procedures.

2.8 Provide, or arrange to have provided, other services necessary for project but not within scope of ENGINEER'S services.

4.2 Indemnity. CLIENT and ENGINEER each agree to indemnify and hold harmless, each other and their respective officers, directors and employees from and against liability for all claims, losses, damages, and expenses, including reasonable attorneys' fees and costs of defense to the extent covered by insurance, and to the extent such claims, losses, damages, or expenses are caused by the indemnifying party's negligent acts, errors, or omissions. In the event claims, losses, damages, or expenses are caused by the joint or concurrent negligence of the CLIENT and ENGINEER, they shall be borne by each party in proportion to its negligence. The ENGINEER shall not be responsible for any loss, damage, or liability arising from any acts by CLIENT, its agents, staff, and other sub-consultants or subcontractors employed by it.

4.3 Limitation of Liability. In recognition of the relative risks and benefits of the Project to both the CLIENT and ENGINEER, the risks have been allocated such that the CLIENT agrees, to the fullest extent permitted by law, to limit ENGINEER's liability to the CLIENT to \$25,000 or amount of fee whichever is greater on this project, due to ENGINEER's professional negligent acts, errors or omissions, and breach of contract and to the fullest extent permitted by law.

SECTION 5 - ALTERNATIVE DISPUTE RESOLUTION

5.1 Dispute Resolution. If a dispute arises between the parties relating to this AGREEMENT, the parties agree to promptly schedule meetings between the parties, attended by individuals with decision-making authority regarding the dispute, to attempt in good faith to negotiate a resolution of the dispute.

5.2 Mediation. In an effort to resolve any conflicts that arise during the design and construction of the Project or following the completion of the Project, the CLIENT and the ENGINEER agree that all disputes between them arising out of or relating to this AGREEMENT or the Project shall be submitted to nonbinding mediation.

The CLIENT and the ENGINEER further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the Project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with their subcontractors, sub consultants, suppliers and fabricators, thereby providing for mediation as the primary method of dispute resolution among the parties to all those agreements.

If mediation is unsuccessful, the parties may proceed to litigation in the jurisdiction of the courts in the location of the ENGINEER's office.

SECTION 6 - TERMINATION

6.1 Termination for Cause. The CLIENT may terminate this AGREEMENT, or any part thereof, for cause in the event the ENGINEER defaults in performing thereunder or in providing the CLIENT upon written request with adequate assurance of due performance, or if the ENGINEER breaches any term or condition of the AGREEMENT; provided, the ENGINEER fails to cure the alleged default within five (5) calendar days of receipt of written notice from the CLIENT specifying the alleged default. In the event of termination for cause, subject to payment by the CLIENT, the ENGINEER will be paid for SERVICES which have been completed and which were not a reason for the termination, less a reasonable amount CLIENT shall determine will be necessary to cure the default. CLIENT shall not be liable to the ENGINEER for any amount otherwise payable to the ENGINEER under the AGREEMENT, and the ENGINEER shall be liable to the CLIENT for any and all direct damages which result from the default or breach.

6.2 Termination for Convenience. The CLIENT may at any time and for any reason terminate the AGREEMENT, or any part thereof, for its sole convenience. At the time specified by the CLIENT in writing to the ENGINEER, ENGINEER shall immediately cease performance of SERVICES under the terminated AGREEMENT and shall immediately cause all suppliers and sub consultants to cease performance thereunder. Subject to payment to the CLIENT, the ENGINEER shall be paid for services completed under this AGREEMENT to the point of ENGINEER's receipt of the written notice of termination. The ENGINEER shall not be paid for any SERVICES performed subsequent to the receipt of the written notice of termination nor for any costs incurred by the ENGINEER which the ENGINEER could have reasonably avoided.

SECTION 7 - ELECTRONIC MEDIA

7.1 File Maintenance. ENGINEER is not required to maintain copies of the electronics files beyond 60 days after project completion. Project completion is defined as final payment to the contractor(s) for all work performed.

7.2 Data Files. When transferring documents in electronic media format, the transferring party makes no representations as to long-term compatibility, usability, or readability of such documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by the documents' creator.

7.3 Acceptance Period. The CLIENT agrees that ENGINEER will not be held liable for the completeness or correctness of the electronic media after an acceptance period of 30 days after delivery of the electronic files. ENGINEER'S sealed drawings that accompany submittal to the CLIENT shall govern over electronic media. During this period, the CLIENT may review and examine these files; any errors detected during this time will be corrected by ENGINEER as part of the basic agreement. Any changes requested after the Acceptance Period will be considered additional services to be performed on a time and materials basis, at ENGINEER's standard cost plus terms and conditions.

8.15 Equal Employment Opportunity. The ENGINEER agrees not to discriminate against any employee or applicant for employment because of race, religion, color, handicap, sex, age, national origin, or status as veteran.

8.16 Taxes, Royalties and Expenses. The ENGINEER shall pay all taxes, royalties and expenses incurred in connection with its SERVICES under this AGREEMENT.

8.17 Subject Headings. The subject headings of the Sections and Subsections of this AGREEMENT are included for convenience only and shall not affect the construction or interpretation of its provisions.

8.18 Continuing Obligation. Whenever necessary or reasonable to carry out the intention of the parties, the provisions of this AGREEMENT shall survive the expiration or termination of this AGREEMENT and shall continue in full force and effect.

8.19 Successors and Assigns. Neither the CLIENT nor the ENGINEER may assign, sublet or transfer any rights under or interests in this AGREEMENT without the written consent of the other. Except for the nonassignability of this AGREEMENT as herein provided, it shall be binding upon and shall inure to the benefit of the parties hereto, their respective successors and assigns, and each represents to the other that the undersigned are authorized to execute this AGREEMENT on behalf of the respective parties.

8.20 Books and Records. The ENGINEER agrees to maintain proper books, records, documents, papers and shall apply consistent accounting practices to properly reflect actual transactions on its accounting books and records in accordance with the rules and regulations of the national accounting governing board. Additionally, the ENGINEER shall use such books and records to provide accurate historical cost data as a basis for pricing this AGREEMENT. The ENGINEER agrees to save and make available all such records for audit or review by the CLIENT, or any other governmental funding agency at all reasonable times during the term of this AGREEMENT and for a period of three years after final payment is made to the ENGINEER.

8.21 Deficiencies. CLIENT shall not be responsible for discovering deficiencies in the technical accuracy of ENGINEER's services. However, CLIENT shall promptly notify the ENGINEER of any known or suspected deficiencies by CLIENT in ENGINEER's services. ENGINEER shall correct any deficiencies in technical accuracy without additional compensation except to the extent such corrective action is directly attributable to deficiencies in CLIENT furnished information.

8.22 Survival. All express representations, waivers, indemnifications and limitations of liability included in this Agreement will survive its completion or termination for any reason.

8.23 Waiver of Consequential Damages. Notwithstanding any other provision to the contrary, and to the fullest extent permitted by law, neither the CLIENT nor the ENGINEER shall be liable to the other for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or this Agreement. This mutual waiver of consequential damages shall include, but not be limited to, loss of use, loss of profit, loss of business or income or any other consequential damages that either party may have incurred from any cause of action whatsoever.

8.24 Hidden Conditions. A condition is hidden if concealed by existing conditions or structure or is not capable of investigation by reasonable visual observation. If the ENGINEER has reason to believe that a condition may exist, the CLIENT shall authorize and pay for all costs associated with the investigation of such a condition. If (1) the CLIENT fails to authorize such investigation after such notification, or (2) the ENGINEER has no reason to believe that such a condition exists, the ENGINEER shall not be responsible for the existing conditions or any resulting damages or losses resulting therefrom.

8.25 Betterment. If a required item or component of the Project is omitted from the ENGINEER's documents, the ENGINEER shall not be responsible for paying the cost required to add such item or component to the extent that such item or component would have been included or required in the ENGINEER's original documents. In no event will the ENGINEER be responsible for any costs or expense that provides betterment or upgrades or enhances the value of the Project.

8.26 Construction Activities. The ENGINEER shall not be responsible for the acts or omissions of any person performing any construction Work or for instructions given by the CLIENT or its representatives to any one performing any construction Work, nor for construction means and methods or job-site safety. The ENGINEER has authority to reject the Work of the contractor(s) that does not conform to the construction documents, but only the CLIENT has the authority to stop the Work of the contractor(s).

8.27 ENGINEER's Status during Construction. If the "ENGINEER's Scope of Services" includes Construction Phase Services, The ENGINEER shall act as the CLIENT's representative in accordance with EJCDC C-700 "Standard General Conditions of the Construction Contract" except as limited by the "ENGINEER's Scope of Services". A resident project representative will only be used if specifically included in the "ENGINEER's Scope of Services".

8.28 Design without Construction Phase Services. If the "ENGINEER's Scope of Services" does not include Construction Phase Services, it is understood that the ENGINEER's services do not include Construction Phase Services, and as such the services will be provided by the CLIENT. The CLIENT assumes all responsibility for interpretation of the ENGINEER's documents and construction observation, and CLIENT waives any claims



F

ATTACHMENT F

Resolution No. SWD-18-5 MOU between Lorain County Storm Water Management District and the Village of South Amherst.



Division of Surface Water
Co-Permittee Notice of Intent (NOI) for Coverage Under
Ohio EPA Small MS4 NPDES General Permit

Submission of this NOI constitutes notice that the party identified in Section I of this form intends to be authorized by Ohio's NPDES Small MS4 general permit. Becoming a permittee obligates a discharger to comply with the terms and conditions of the permit. NOTE: All necessary information must be provided on this form. Read the accompanying instructions carefully before completing the form. Do not use correction fluid on this form. Forms transmitted by fax will not be accepted. There is no fee associated with submitting this form.

I. Applicant Information/Mailing Address

Company (Applicant) Name: Village of South Amherst

Mailing (Applicant) Address: 103 W. Main Street

City: South Amherst

State: OH

Zip Code: 44001

Country: USA

Contact Person: Dave Leshinski

Phone: (440) 986-8221

Fax: (440) 722-2270

Contact E-mail Address: mayors.amherst@gmail.com

General Permit Number: OHQ000003

Type of Activity: Small MS4 General Permit

Existing Ohio EPA Facility Permit Number: 3GQ10012*CG

II. Facility/Site Location Information

Initial Permittee Name: LORAIN COUNTY STORM WATER MANAGEMENT DISTRICT

Facility/Site Name: LORAIN CO STORM WATER MANAGEMENT DISTRICT

Facility Address: 226 MIDDLE AVE 5TH FL

City: ELYRIA

State: OH

Zip Code: 44035

County: LORAIN

Township:

Contact Person: DONALD ROMANCAK

Phone: (440) 328-2323

Fax: (440) 328-2349

Contact E-mail Address: DROMANCAK@LORAINCOUNTY.US

III. 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.

Applicant Name:

Dave Leshinski

Title:

mayor

Signature:

Electronically submitted by samayor

Date:

Electronically submitted on 09/20/2018

RESOLUTION NO. SWD-18-5

In the matter of approving the MOU)
with the Village of South Amherst for)
the implementation, coordination and)
collaboration on stormwater issues)
and permit requirements)

August 21, 2018

WHEREAS, Village of South Amherst Ordinance No. 1582-18, passed July 23, 2018 authorized Mayor to enter into a MOU with Lorain County Stormwater District to become storm water co-permittees under the National Pollutant discharge elimination system (NPDES) small municipal separate storm sewer system permit regulations of the OHEPA and declare an emergency.

NOW, THEREFORE BE IT RESOLVED, by the Lorain County Stormwater Management District we hereby approve the MOU with the Village of South Amherst for the implementation, coordination and collaboration on stormwater issues and permit requirements.

Said MOU is as follows:

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water Management District (County) and the Village of South Amherst (Village) on the date set forth below.

Recitals

WHEREAS, both the County and Village are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and the Village of South Amherst Village is desirous to collectively coordinate and collaborate with the County on compliance with the permit requirements; and

WHEREAS, Village also desires to become a co-permittee of the County as allowed by Ohio EPA under the NPDES permit; and

WHEREAS, the Village has undertaken the steps necessary to understand the District and its operation including billing mechanism and policies, and the Village shares compatible goals and objectives, and mutual interest in minimizing costs and increasing efficiencies; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through performance of the following matters including the six Phase II minimum control measures and further to comply with the Lorain County Storm Water Management Program:

District Participation**County Responsibility:**

- Provide assistance with customer service including but not limited to development of property impervious area maps, fee calculations, and site visits.
- County will absorb maintenance costs for ditch projects for joint Village/County ditch improvement projects so long as funds are available consistent with the Policy set by the Board.
- County will assist the Village with pursuit of grant funding for stormwater quality and quantity.

Village Responsibility:

- Retain ownership and maintenance responsibility for all Village owned stormwater infrastructure.
- Submit an annual budget to the County consistent with the Business Plan and Financial Factsheet developed for the South Amherst Village Stormwater Utility Program.
- Submit a financial report on expenditures from the enterprise fund to the County at the end of each fiscal year.

General Conditions:

The County will provide a copy of its Storm Water Management Program to the Village as it is updated. The County and Village will review and address changes that may be needed as the Program is updated to incorporate changes in the District, current and future NPDES Permits, and evolving needs of the Village. Changes will be made to maintain compliance with the NPDES Permit and the Minimum Control Measures required.

The County will work with the Village to collect the necessary information to include and report to the Ohio EPA in the required Annual Report. The Annual Report will be submitted to Ohio EPA no later than March 31 of each year reporting on the activities undertaken the previous calendar year by the County and the Village including any actions that the Village may choose to do in addition to those activities contained in this agreement. A copy of the Annual Report will be provided to the Village for its records.

The County will actively work to provide compliance with the EPA NPDES Minimum Control Measures for which it is responsible as part of the MOU. However, the Village agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Village's responsibility to ensure compliance and maintain liability for said compliance within the permit.

Minimum Control Measures

The following breakdown of Minimum Control Measures (MCM) and responsibilities shall not prevent either party from going above and beyond the responsibilities outlined in the MOU. Any costs incurred for implementation beyond the outlined responsibilities shall be born solely by the entity that takes such an action. Should the Village take any actions beyond the scope of this agreement in furtherance of the NPDES Permit compliance, it is the Village responsibility to report and document the actions taken to the County. The County will then be able to include those activities within the Annual Report.

MCM #1 – Public Education and Outreach on Storm Water Impacts**County Responsibility:**

County will develop and pay for Public Education materials for County and Village use. These will include Erosion Control Factsheet(s), Post Construction Factsheet(s) and a County Public Education Factsheet. The Public Education Factsheet will be developed in concert with the Lorain County Public Involvement and Public Education Committee (LCPIPE). The County will maintain a webpage with links to these brochures along with other information.

The County will provide to the Village annually a brochure in electronic format that is consistent with the PIPE Annual Theme over each permit term. The current MS4 permit runs through 2019.

The County will provide press releases to the Village for Public Education to be placed in newsletters and other outlets that the Village may choose to utilize.

The County will include the Village in its mailings – 50% of residential property rate payers will receive an educational brochure on the annual storm water theme in the mail once per year.

Village Responsibility:

Village will make the Factsheets developed by County available at Village Hall and other Village public meeting places.

Provide link to County Storm Water district Website on Village Website, if in existence.

Track number of brochures and number of each factsheet distributed and report numbers back to County at end of each year for inclusion in the Annual Report.

Include press releases from County relevant to Public Education on Storm Water on Village web site and social media, newsletters or other appropriate outlets available to the Village to inform the residents.

MCM #2 – Public Involvement / Participation

County Responsibility - The County is responsible for and will pay for the development of Public Involvement and Participation activities including:

Lorain County Public Involvement and Public Education (LCPIPE) Work Group, a representative from the County will attend work group sessions on behalf of the County and all co-permittees, relieving the Village from this responsibility.

Lorain County will distribute updates from the workgroup to the Village.

Solid and Hazardous Waste Disposal. County will collect data by zipcode to include with the annual report.

Lorain County Pride Day.

Lorain County Volunteer Stream Cleanup Program.

Lorain County Adopt a Highway Program.

Village Responsibility:

Village may send participants to the LCPIPE Work Group.

Village is responsible to make sure that the public Involvement/Participation activities are advertised to Village employees and residents.

MCM #3 – Illicit Discharge Detection & Elimination

County Responsibility:

The County will maintain an Illicit Discharge Detection & Elimination (IDDE) Program for the Village.

Forward model legislation consistent with existing County legislation to implement IDDE Program.

Screen outfalls within the Village and apply its protocols as established in its IDDE Program from testing through enforcement.

Inform Village of results of number of screenings, and data related to screenings.

Village Responsibility:

Pass legislation to update Illicit Discharge Detection & Elimination consistent with the County's IDDE Program.

Assist County in collection and inventory of current IDDE practices including providing information on:

- a. MS4 Outfalls (location and previous screening results)
- b. MS4 Mapping information for County to develop comprehensive storm sewer system map
- c. Showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins, pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.

Assist County in accessing property as may be necessary and in enforcement of the IDDE Program if Illicit Discharges are found.

MCM #4 – Construction Site Storm Water Runoff Control**County Responsibility:**

The County has developed Construction Site Erosion Control regulations that have been implemented and which are required for all sites with more than one acre of disturbance, this information will be provided to the Village.

Assist Village with plan review, monthly inspections and enforcement as requested for compliance with the NPDES permit. Perform plan reviews and monthly inspections of active construction sites disturbing one or more acres.

Report known violations to Lorain County Storm Water Management District

Provide enforcement measures as needed. Examples may include issuing stop work order through Building Department or denying zoning permit until compliance with regulations is demonstrated.

Village Responsibility:

Adopt the Construction Erosion and Sediment Control regulations that the County has in place.

MCM #5 – Post Construction Storm Water Management**County Responsibility:**

The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with more than one acre of disturbance, this information will be provided to the Village.

Provide plan review, inspections and enforcement as requested for compliance with the NPDES permit.

Comply with responsibilities outlined in the MOU between the Village and Lorain County Soil and Water Conservation District.

Perform plan review and inspections of post construction best management practices (BMPs) within the Village.

Obtain Long Term Inspection and Maintenance agreements with owners of all new post construction BMPs.

Report known violations to Lorain County Storm Water Management District Provide enforcement measures as needed.

Village Responsibility:

Adopt the Comprehensive Storm Water Management (Post Construction) Regulations that the County has in place.

MCM #6 – Pollution Prevention / Good Housekeeping**County Responsibility:**

Lorain County has developed an Operation and Maintenance Manual that can be used by the Village

This manual will be updated by the County as needed during permit cycles with said updates provided to the Village.

Create Storm Water Pollution Prevention Plans (SWP3) for Village Facilities under the Ohio EPA MS4 permit coverage including:

- d. Cemetery.
- e. List of Village Facilities that require a SWP3.
- f. Any future facilities constructed or acquired requiring a SWP3.

Provide technical assistance in customizing Operation and Maintenance Manual to meet specific Village requirements.

Forward training opportunities that appear to be relevant and/or useful for personnel that need continuing training.

Village Responsibility:

Expand upon and implement O & M manual for specific Village Facilities.

Implement and follow SWP3 for Village Facilities.

Forward training opportunities and information to Village employees.

Ensure Village Employees receive required training.


Matt Lundy - Secretary/Treasurer

Resolution SWD18-5

page 5

August 21, 2018

Log employee training hours.

Provide reporting to County on activities including but not limited to staff training hours, inspections of facilities quarterly, materials and amounts used to deice roads, incidental spills and releases, etc.

Administrative and Incidental Actions.

From time to time the County may receive correspondence from the Ohio EPA in regard to complaints from the General Public. The County will work with the Village to determine the nature of the complaint and what steps may need to be taken to ensure compliance is maintained.

Customer service functions that include phone calls to and from residents, MOU updates, meetings with OEPA for clarification and information will not be charged.

Coordination of drainage plans for capital improvements pursued in collaboration between the Village and County to control flooding will not be charged by County within this MOU.

Billing and Collection

County Responsibility:

- County agrees to implement a stormwater fee as established by the Village. County will then provide billing to the Village stormwater customers in the same manner as employed for the County Stormwater Utility Program.
- Prepare the billing database and impervious area update annually by end of July.
- Provide transfer to the Village's Stormwater Enterprise Fund twice per year within 30 days of payment receipt from the Lorain County Auditor for stormwater billing. Each transfer will be the full amount received from Village stormwater customers less 20% which is the amount of the annual MS4 services cost to implement the NPDES requirements.

Village Responsibility:

- Provide new development plans that change the impervious area.
- Certify annual billing database to the County Auditor by first Monday in September including rate adjustments due to change in fee per ERU and credits issued to customers

Cost:

Annual Costs

Costs incurred by the County in performing duties on behalf of the Village as a participant of the County Stormwater District shall be 20% of the amount collected in the stormwater utility program. The amount retained by the District will be reviewed annually by the District with the Mayor to determine if an adjustment is necessary in the following year.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party by June 1 and will go into effect on January 1 of the following year as billing and collection cannot be altered once set by the County Auditor. Annual costs will be prorated based on the time of termination within the year and the prorated amount must also be paid in full within (60) days of termination.

LORAIN COUNTY STORM
WATER DISTRICT:

S/James R. Cordes, District Director
Date: 08/21/18

Approved As to Form:

S/Gerald A. Innes
Lorain County Prosecutor's Office
Date: 6-11-18

VILLAGE OF SOUTH AMHERST VILLAGE

S/Mayor David J. Leshinski
Date: 07/24/18

S/Michelle D. Nedwick
Village of South Amherst Village Law Director
6-11-18

FURTHER BE IT RESOLVED, we hereby authorize James R. Cordes to executed MOU and this MOU can be found on file in the Stormwater District Office and Commissioners/Purchasing office

Motion by Matt Lundy, seconded by Lori Kokoski to adopt. Upon roll call the vote taken resulted: Ayes: Kalo, Kokoski & Lundy / Nays: none

Motion carried. _____(discussion was held on the above)

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) entered into by and between the Lorain County Storm Water Management District (County) and the Village of South Amherst (Village) on the date set forth below.

Recitals

WHEREAS, both the County and Village are required pursuant to the Clean Water Act to comply with certain NPDES (National Pollutant Discharge Elimination System) small MS4 (Municipal Separate Storm Water System) permit regulations of the Environmental Protection Agency (EPA) to develop and implement programs to detect and eliminate illicit discharges; and

WHEREAS, EPA allows MS4 permit holders to partner to jointly perform services required for compliance; and

WHEREAS, County has implemented a Storm Water Utility Fee and Business Plan which includes a set aside of funds to assist in achieving compliance with the Clean Water Act; and

WHEREAS, County has adopted the Lorain County Storm Water Management Plan as the basis of the County and the Village of South Amherst Village is desirous to collectively coordinate and collaborate with the County on compliance with the permit requirements; and

WHEREAS, Village also desires to become a co-permittee of the County as allowed by Ohio EPA under the NPDES permit; and

WHEREAS, the Village has undertaken the steps necessary to understand the District and its operation including billing mechanism and policies, and the Village shares compatible goals and objectives, and mutual interest in minimizing costs and increasing efficiencies; and

WHEREAS, the parties hereto have determined that it is in the best interests of their constituents to collaborate in the joint performance of certain EPA Phase II MS4 requirements as hereafter set forth in that:

It will be more economical.

It will save on duplication of efforts and use of resources.

Control of storm water crosses political boundaries, and it is therefore more effective if done through a coordinated effort of local governments.

THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree to and promise to partner in complying with the Clean Water Act through performance of the following matters including the six Phase II minimum control measures and

further to comply with the Lorain County Storm Water Management Program:

District Participation

County Responsibility:

- Provide assistance with customer service including but not limited to development of property impervious area maps, fee calculations, and site visits.
- County will absorb maintenance costs for ditch projects for joint Village/County ditch improvement projects so long as funds are available consistent with the Policy set by the Board.
- County will assist the Village with pursuit of grant funding for stormwater quality and quantity.

Village Responsibility:

- Retain ownership and maintenance responsibility for all Village owned stormwater infrastructure.
- Submit an annual budget to the County consistent with the Business Plan and Financial Factsheet developed for the South Amherst Village Stormwater Utility Program.
- Submit a financial report on expenditures from the enterprise fund to the County at the end of each fiscal year.

General Conditions:

The County will provide a copy of its Storm Water Management Program to the Village as it is updated. The County and Village will review and address changes that may be needed as the Program is updated to incorporate changes in the District, current and future NPDES Permits, and evolving needs of the Village. Changes will be made to maintain compliance with the NPDES Permit and the Minimum Control Measures required.

The County will work with the Village to collect the necessary information to include and report to the Ohio EPA in the required Annual Report. The Annual Report will be submitted to Ohio EPA no later than March 31 of each year reporting on the activities undertaken the previous calendar year by the County and the Village including any actions that the Village may choose to do in addition to those activities contained in this agreement. A copy of the Annual Report will be provided to the Village for its records.

The County will actively work to provide compliance with the EPA NPDES Minimum Control Measures for which it is responsible as part of the MOU. However, the Village agrees that the County will not be liable for any EPA noncompliance findings or fines. It is the Village's responsibility to ensure compliance and maintain liability for said compliance within the permit.

Minimum Control Measures

The following breakdown of Minimum Control Measures (MCM) and responsibilities shall not prevent either party from going above and beyond the responsibilities outlined in the MOU. Any costs incurred for implementation beyond the outlined responsibilities shall be born solely by the entity that takes such an action. Should the Village take any actions beyond the scope of this agreement in furtherance of the NPDES Permit compliance, it is the Village responsibility to report and document the actions taken to the County. The County will then be able to include those activities within the Annual Report.

MCM #1 – Public Education and Outreach on Storm Water Impacts

County Responsibility:

- County will develop and pay for Public Education materials for County and Village use. These will include Erosion Control Factsheet(s), Post Construction Factsheet(s) and a County Public Education Factsheet. The Public Education Factsheet will be developed in concert with the Lorain County Public Involvement and Public Education Committee (LCPIPE). The County will maintain a webpage with links to these brochures along with other information.
- The County will provide to the Village annually a brochure in electronic format that is consistent with the PIPE Annual Theme over each permit term. The current MS4 permit runs through 2019.
- The County will provide press releases to the Village for Public Education to be placed in newsletters and other outlets that the Village may choose to utilize.
- The County will include the Village in its mailings – 50% of residential property rate payers will receive an educational brochure on the annual storm water theme in the mail once per year.

Village Responsibility:

- Village will make the Factsheets developed by County available at Village Hall and other Village public meeting places.
- Provide link to County Storm Water district Website on Village Website, if in existence.
- Track number of brochures and number of each factsheet distributed and report numbers back to County at end of each year for inclusion in the Annual Report.
- Include press releases from County relevant to Public Education on Storm Water on Village web site and social media, newsletters or other appropriate outlets available to the Village to inform the residents.

MCM #2 – Public Involvement / Participation

County Responsibility - The County is responsible for and will pay for the development of

Public Involvement and Participation activities including:

- Lorain County Public Involvement and Public Education (LCPIPE) Work Group, a representative from the County will attend work group sessions on behalf of the County and all co-permittees, relieving the Village from this responsibility.
- Lorain County will distribute updates from the workgroup to the Village.
- Solid and Hazardous Waste Disposal. County will collect data by zipcode to include with the annual report.
- Lorain County Pride Day.
- Lorain County Volunteer Stream Cleanup Program.
- Lorain County Adopt a Highway Program.

Village Responsibility:

- Village may send participants to the LCPIPE Work Group.
- Village is responsible to make sure that the public Involvement/Participation activities are advertised to Village employees and residents.

MCM #3 – Illicit Discharge Detection & Elimination

County Responsibility:

- The County will maintain an Illicit Discharge Detection & Elimination (IDDE) Program for the Village.
- Forward model legislation consistent with existing County legislation to implement IDDE Program.
- Screen outfalls within the Village and apply its protocols as established in its IDDE Program from testing through enforcement.
- Inform Village of results of number of screenings, and data related to screenings.

Village Responsibility:

- Pass legislation to update Illicit Discharge Detection & Elimination consistent with the County's IDDE Program.
- Assist County in collection and inventory of current IDDE practices including providing information on:
 - MS4 Outfalls (location and previous screening results)
 - MS4 Mapping information for County to develop comprehensive storm sewer system map
 - Showing the location of all outfalls and the names and location of all surface waters of the State that receive discharges from those outfalls. Within five years of when your coverage under this general permit was granted, your comprehensive storm sewer system map shall also include your MS4 system (owned and/or operated by you), including catch basins, pipes, ditches, flood control facilities (retention/detention ponds), post-construction water quality BMPs and private post construction water quality BMPs which have been installed to satisfy Ohio EPA's NPDES Construction Storm Water general permit and/or your local post-construction water quality BMP requirements.
- Assist County in accessing property as may be necessary and in enforcement of the IDDE Program if Illicit Discharges are found.

MCM #4 – Construction Site Storm Water Runoff Control

County Responsibility:

- The County has developed Construction Site Erosion Control regulations that have been implemented and which are required for all sites with more than one acre of disturbance, this information will be provided to the Village.
- Assist Village with plan review, monthly inspections and enforcement as requested for compliance with the NPDES permit. Perform plan reviews and monthly inspections of active construction sites disturbing one or more acres.
- Report known violations to Lorain County Storm Water Management District
- Provide enforcement measures as needed. Examples may include issuing stop work order through Building Department or denying zoning permit until compliance with regulations is demonstrated.

Village Responsibility:

- Adopt the Construction Erosion and Sediment Control regulations that the County has in place.

MCM #5 – Post Construction Storm Water Management

County Responsibility:

- The county has developed Post Construction Storm Water regulations that have been implemented and which are required for all sites with more than one acre of disturbance, this information will be provided to the Village.
- Provide plan review, inspections and enforcement as requested for compliance with the NPDES permit.
- Comply with responsibilities outlined in the MOU between the Village and Lorain County Soil and Water Conservation District.
- Perform plan review and inspections of post construction best management practices (BMPs) within the Village.
- Obtain Long Term Inspection and Maintenance agreements with owners of all new post construction BMPs.
- Report known violations to Lorain County Storm Water Management District
- Provide enforcement measures as needed.

Village Responsibility:

- Adopt the Comprehensive Storm Water Management (Post Construction) Regulations that the County has in place.

MCM #6 – Pollution Prevention / Good Housekeeping

County Responsibility:

- Lorain County has developed an Operation and Maintenance Manual that can be used by the Village. This manual will be updated by the County as needed during permit cycles with said updates provided to the Village.
- Create Storm Water Pollution Prevention Plans (SWP3) for Village Facilities under the Ohio EPA MS4 permit coverage including:
 - Cemetery.
 - List of Village Facilities that require a SWP3.
 - Any future facilities constructed or acquired requiring a SWP3.

- Provide technical assistance in customizing Operation and Maintenance Manual to meet specific Village requirements.
- Forward training opportunities that appear to be relevant and/or useful for personnel that need continuing training.

Village Responsibility:

- Expand upon and implement O & M manual for specific Village Facilities.
- Implement and follow SWP3 for Village Facilities.
- Forward training opportunities and information to Village employees.
- Ensure Village Employees receive required training.
- Log employee training hours.
- Provide reporting to County on activities including but not limited to staff training hours, inspections of facilities quarterly, materials and amounts used to deice roads, incidental spills and releases, etc.
- Administrative and Incidental Actions.

From time to time the County may receive correspondence from the Ohio EPA in regard to complaints from the General Public. The County will work with the Village to determine the nature of the complaint and what steps may need to be taken to ensure compliance is maintained.

Customer service functions that include phone calls to and from residents, MOU updates, meetings with OEPA for clarification and information will not be charged.

Coordination of drainage plans for capital improvements pursued in collaboration between the Village and County to control flooding will not be charged by County within this MOU.

Billing and Collection

County Responsibility:

- County agrees to implement a stormwater fee as established by the Village. County will then provide billing to the Village stormwater customers in the same manner as employed for the County Stormwater Utility Program.
- Prepare the billing database and impervious area update annually by end of July.
- Provide transfer to the Village's Stormwater Enterprise Fund twice per year within 30 days of payment receipt from the Lorain County Auditor for stormwater billing. Each transfer will be the full amount received from Village stormwater customers less 20%

which is the amount of the annual MS4 services cost to implement the NPDES requirements.

Village Responsibility:

- Provide new development plans that change the impervious area.
- Certify annual billing database to the County Auditor by first Monday in September including rate adjustments due to change in fee per ERU and credits issued to customers

Cost:

Annual Costs

Costs incurred by the County in performing duties on behalf of the Village as a participant of the County Stormwater District shall be 20% of the amount collected in the stormwater utility program. The amount retained by the District will be reviewed annually by the District with the Mayor to determine if an adjustment is necessary in the following year.

Termination

This MOU may be terminated by either party upon sixty (60) days written notice to the other party by June 1 and will go into effect on January 1 of the following year as billing and collection cannot be altered once set by the County Auditor. Annual costs will be prorated based on the time of termination within the year and the prorated amount must also be paid in full within (60) days of termination.

LORAIN COUNTY STORM
WATER DISTRICT:

VILLAGE OF SOUTH AMHERST VILLAGE

By: 

By: David J. Lysinski

Date: 08/21/2018

Date: 7-24-2018

Approved As to Form:

By: 

Lorain County Prosecutor's Office

By: Michelle D. Nedwicz

Village of South Amherst Village Law Director

Date: 6-11-18

Date: 6-11-18

**RECORD OF ORDINANCE
VILLAGE OF SOUTH AMHERST**

Ordinance No. 1582-18

Passed 7/23, 2018

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LORAIN COUNTY STORM WATER DISTRICT TO BECOME STORM WATER CO-PERMITTEES UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT REGULATIONS OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY, AND DECLARING AN EMERGENCY.

WHEREAS, Both Lorain County and the Village of South Amherst are required pursuant to the Clean Water Act, to comply with National Pollutant Discharge Elimination System (NPDES) small Municipal Separate Storm Sewer permit regulations to develop and implement programs to detect and eliminate illicit discharges to storm water systems; and

WHEREAS, the Ohio Environmental Protection Agency allows permit holders to partner to jointly perform services required for compliance; and

WHEREAS, Lorain County and the Village of South Amherst have determined that it is in the best interests of their constituents to collaborate in the joint performance of services required for permit compliance as storm water management is an inter-jurisdictional issue and such collaboration will be more economical as it will provide for the shared use of resources and save on supplication of effort.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH AMHERST, LORAIN COUNTY, STATE OF OHIO THAT:

SECTION 1: The Mayor is hereby authorized and directed to enter into the proposed Memorandum of Understanding between the Village of South Amherst and the Lorain County Storm Water District to become storm water co-permittees under the National Pollutant Discharge Elimination System (NPDES) small Municipal Separate Storm Sewer System permit regulations of the Ohio Environmental Protection Agency, a copy of said Memorandum of Understanding being attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in

such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance is declared to be an emergency measure necessary to facilitate storm water management, and the immediate preservation of the public health, safety and welfare of the Village, wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

First Reading: 4/25/18

Second Reading: 7/9/18

PASSED: 7/23/18

David J. Lesinski

David Lesinski, Mayor

ATTEST: Michelle Henke
Fiscal Officer

I, Michelle Henke, Fiscal Officer of the Village of South Amherst, certify there is no newspaper of general circulation published in the municipality and the publishing of this Ordinance No. 1582-18 was made by posting true copies thereof in at least five of the most public places in the said Village, determined by Council, for a period of not less than fifteen (15) days, following the passage.

Michelle Henke
Fiscal Officer

APPROVED AS TO FORM:

Michelle D. Nedwick
Michelle D. Nedwick, Law Director

