



The City of Ironton

"Overlooking The Beautiful Ohio River"

RICH BLANKENSHIP, Mayor

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January 27, 2010

Re: Reference Case No. 90-5-1-1-08729
United States of America and The State of Ohio v. City of Ironton, Ohio
Compliance Item: Semi-Annual Progress Report – January 31, 2010

Chief, Environmental Enforcement Section
Environmental and Natural Resources Division
U.S. Department of Justice
Post Office Box 7611
Washington D.C. 20044-7611
Reference Case No. 90-5-1-1-08729

Sally K. Swanson, Chief
Water Enforcement and Compliance Assurance Branch
Water Division
U.S. Environmental Protection Agency, Region 5
77 West Jackson BLVD
Chicago, Illinois 60604

Steven P. Kaiser
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 West Jackson BLVD.
Chicago, Illinois 60604

Southeast District Office
Division of Surface Water
Attn: Enforcement Group Leader
Ohio Environmental Protection Agency
2195 Front Street
Logan, Ohio 45402-2911

Dale Vitale, Chief
Environmental Enforcement Section
State of Ohio Office of Attorney General
30 East Broad Street, 25th Floor
Columbus, Ohio 43215-3400

David J. Schmidt
Cors & Bassett, LLC
537 East Pete Rose Way
Suite 400
Cincinnati, Ohio 45202

John Haskins
Superintendent, Ironton Wastewater Department
301 South 3rd Street
Ironton, Ohio 45638

Dear Compliance Team:

Enclosed with this correspondence is the City of Ironton's Third Compliance Item that is subject of the Consent Decree Entered on March 17, 2009 in the United States District Court Southern District of Ohio Western Division, Reference Case No. 90-5-1-1-08729, United States of America and The State of Ohio v. City of Ironton, Ohio.

This required Compliance Item is for the Semi-Annual Progress Report as required in Section VI, 24 of the Consent Decree. Please advise should you have any questions or comments regarding this submission.

Respectfully submitted,

Rich Blankenship, Mayor

City of Ironton, Ohio

Semi-Annual Progress Report

January 27, 2010

Date of Entry:

March 17, 2009

Compliance Item Due Date:

January 31, 2010

Requirement from Lodged Consent Decree (Section VI, 24):

Submit a Progress Report on a semi-annual basis on January 31 and July 31 for each Six-month Period commence with the first full six-month period after Entry of this Consent Decree and continuing until termination.

VII. REPORTING

A. REPORTS

24. On a semi-annual basis on January 31 and July 31, for each Six-month Period commencing with the first full six-month period after Entry of this Consent Decree and continuing until termination, Ironton will submit to U.S. EPA and Ohio EPA a progress report (“Semi-annual Progress Report”) regarding the implementation of the requirements of this Decree in the previous Six-month Period. The Semi-Annual Progress Report will include at a minimum:

- a. A statement setting forth the deadlines and other terms that Ironton is required by this Consent Decree to meet since the date of the last Semi-annual Progress Report, whether and to what extent Ironton has met these requirements, and the reasons for any noncompliance;

- b. A general description of the work completed within the Six-month Period, and a projection of work to be performed pursuant to this Consent Decree during the next or succeeding Six-month Period. Notification to U.S. EPA and Ohio EPA of any anticipated delay shall not, by itself, excuse the delay;
- c. A summary of all contacts with U.S. EPA and Ohio EPA during the reporting period, including but not limited to the date deliverables under this Decree were sent to U.S. EPA and Ohio EPA;
- d. A statement of any exceedances of NPDES Permit limitations; and,
- e. A summary of all CSOs, SSOs and other unpermitted discharges occurring within the Six-month Period including the actual or estimated frequency, duration, and volume of each CSO, SSO, and other unpermitted discharges.

Requirement A

A statement setting forth the deadlines and other terms that Ironton is required by this Consent Decree to meet since the date of the last Semi-annual Progress Report, whether and to what extent Ironton has met these requirements, and the reasons for any noncompliance;

Response

This is the first Semi-annual Progress Report as required by the Consent Decree that was Entered on March 17, 2009 for the first full six-month period after the date of entry. Between the dates of July 1, 2009 and December 1, 2009, there were no milestones or deadlines that were identified in the agreed terms and conditions of the Consent Decree. However, prior to this six-month period the following milestones were identified in the Consent Decree and were complied with by the City of Ironton.

1. January 31, 2009 – Commence Design of Project 1 – North Ironton
 - a. Engineering Agreement Executed and Design Commencement – May 8, 2008
2. March 7, 2009 – Submit Plan on Ongoing Infiltration and Inflow Identification and Elimination
 - a. Submitted March 4, 2009
 - b. Revised Plan Submitted on June 16, 2009
 - c. Approved by USEPA June 24, 2009

3. May 16, 2009 – Plan of Procedures to Investigate Dry Weather Overflows
 - a. Submitted May 14, 2009
 - b. Approved by USEPA June 11, 2009

Requirement B

A general description of the work completed within the Six-month Period, and a projection of work to be performed pursuant to this Consent Decree during the next or succeeding Six-Month Period. Notification to the US EPA and Ohio EPA of any anticipated delay shall not, by itself, excuse the delay;

Response

The City of Ironton has commenced design of the separation of sewers in Project Area 1 – North Ironton. This work has consisted of its professional engineering design firm developing base mapping, property mapping, and existing collection system mapping of the project area. Work that is scheduled for the next six-month period is the completion of preliminary mapping of the collection system, identification of property owners and commencement of the Ongoing Infiltration and Inflow Identification Program in the North Ironton area. There is no anticipated delay in the continuation and development of this project.

Requirement C

A summary of all contacts with the US EPA and the Ohio EPA during the reporting period, including but not limited to the date of deliverables under this Decree were sent to USEPA and Ohio EPA;

Response

The City of Ironton has had no contact with USEPA or Ohio EPA regarding this Consent Decree during the reporting period.

Requirement D

A statement of any exceedances of the NPDES Permit limitations;

Response

The City of Ironton had the following NPDES Permit exceedance during the Six-month Reporting Period:

Date: 12/8/2009
Parameter: CBOD 5 Day
Limit Type: Weekly Load
Permit Limit: 257
Reported Value: 261.180

The City Received a Preliminary Compliance Review letter from the Ohio EPA on January 21, 2010 and the response to Ohio EPA is under development as the time of this report.

Requirement E

A summary of all CSO's, SSO's; and other unpermitted discharges occurring within the Six-Month Period including the actual or estimated frequency, duration and volume of each CSO, SSO, and other unpermitted discharges.

Response

The following Table is a summary of the CSO's that were experience during the Six-Month Period that is subject of this Semi-Annual Report:

Station Number	Flow Rate	Overflow Occurances	Duration Hours
OPD00007002	0.000	0	0.0
OPD00007004	3.575	17	265.5
OPD00007007	25.761	29	309.8
OPD00007008	10.250	18	268.5
OPD00007009	8.400	17	265.5
OPD00007010	9.050	17	265.5
OPD00007011	5.500	18	268.5
OPD00007017	1.850	8	172.0
OPD00007018	3.675	18	268.5

This summary was developed directly from the Daily Discharge Monitoring Reports that were submitted to the Ohio EPA during this report period.

Additionally, this City of Ironton experienced basement flooding that did not result in a discharge to Waters of the State during the months of June and July 2009. These occurrences were on June 25 and 26, July 11 and 12 and July 29 and 30. These events were a direct result of extremely heavy rainfall over a short duration (less than 1 hour) that resulted in inundation of the combined sewer system. Over 40 homes were

confirmed to have basement flooding and 181 homes requested the City install backflow prevention devices to prevent future flooding. A damage assessment was conducted by the Lawrence County Emergency Management Agency and a determination was made that the City did not qualify for a Disaster Declaration due to the minimum 25 residences not encountering the necessary damage to warrant state or federal assistance.

There were no other known unpermitted discharges during the reporting period.

Required Certification:

I certify under penalty of law that the document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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.

Rich Blankenship, Mayor
City of Ironton, Ohio

Date

Notification and Distribution List:

Chief, Environmental Enforcement Section
Environmental and Natural Resources Division
U.S. Department of Justice
Post Office Box 7611
Washington D.C. 20044-7611
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Superintendent, Ironton Wastewater Department
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