



Environmental
Protection Agency

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

Re: Notice of Violation
Van Wert County
Boyd Theaters
Ohio EPA Permit No. 2PR00213
NPDES Permit No. OH0135992

September 23, 2011

Mr. James Boyd
Boyd Theaters
10721 West Ridge Road
Van Wert, Ohio 45891

Dear Mr. Boyd:

We are in receipt of your self-monitoring report covering the months of April through June 2011 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are attached on a separate sheet. Further review of your self-monitoring reports for the previous six months, ending in June 2011, indicates that you are in significant non-compliance (SNC) with an effluent limitation contained in your NPDES permit. The specific instance of SNC is attached on a separate sheet.

Please inform this office in writing as to the reasons for the above referenced violations, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

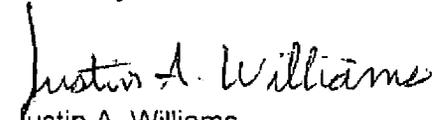
Please be advised that failure to comply with the effluent limitations and/or monitoring requirements, including adequate laboratory controls, appropriate quality assurance procedures, and records retention, as specified in your Part III-General conditions of your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U. S. EPA's "*Facility Pollution Prevention Guide*" (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

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If there are any questions, feel free to contact me at (419) 373 - 3022.

Sincerely,



Justin A. Williams
Division of Surface Water

/cs

Enclosure

pc w/Enclosure: ~~NWDO~~ - BSW-File

Get New Data

Violations for Boyd Theaters - April - June 2011

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PR00213*AD	June 2011	001	00610	Nitrogen, Ammonia (NH3)	1D Conc	1.5	4.34	6/7/2011
2PR00213*AD	June 2011	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	4.34	6/1/2011
2PR00213*AD	June 2011	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.008	.01051	6/1/2011
2PR00213*AD	June 2011	001	31616	Fecal Coliform	1D Conc	2000	2400.	6/7/2011
2PR00213*AD	June 2011	001	31616	Fecal Coliform	30D Conc	1000	2400.	6/1/2011
2PR00213*AD	June 2011	001	00300	Dissolved Oxygen	1D Conc	6.0	5.4	6/7/2011



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Get New
Data

Get Detail
for Selected
Permit

Facilities in Significant Non-Compliance **

Period: Jan-11 Jun-11

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max % Exceed	# Months Signif Exceed (1)**	# Months Exceed (2)**
Van Wert	2PR00213	Boyd Theatres		1	00610	Nitrogen, Ammonia (NH3)	1066.7	2	2

Footnotes

for Significant NonCompliance

** Significant non-compliance with effluent limits occurred if one or more pollutants met the following conditions:

1. During 2 or more months, the reported effluent concentration (or computed load) for a parameter exceeded an effluent limit by:
 - a. 40% for Group 1 pollutants **plus Fecal Coliform**
 - b. 20% for Group 2 pollutants **plus pH, Temperature, whole effluent toxicity**-- or --
2. During 4 or more months, the reported concentration (or computed load) exceeded the limit by > 1%.

Note: This method differs from USEPA Significant Non-compliance (SNC) method in the following ways:

- USEPA only evaluates SNC for average limits. In above analyses, maximum and weekly limits were also considered.



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