



**Environmental
Protection Agency**

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

June 30, 2011

Union County
4IK00005*DD

CERTIFIED MAIL

Steve Bliesner and Mark Meyer
New Day Farms, LLC
27322 St. Rt. 739
Raymond, Ohio 43067

Re: Notice of Violation, Schedule of Compliance and Water Quality Monitoring

Gentlemen,

The purpose of this letter is to inform you of violations of Concentrated Animal Feeding Operation (CAFO) National Pollutant Discharge Elimination System (NPDES) permit 4IK00005*DD for Mad River Egg Farm.

Part I,C. of your NPDES permit requires that you install a flow meter in the constructed wetland no later than three months after the effective date of the NPDES permit. Therefore, the flow meter should have been installed by March 1, 2011. It does not appear that a flow meter has been installed at the New Day Farms Mad River facility. Please provide Ohio EPA with an update on the status of the installation of a flow meter.

The Mad River Egg Farm is required to monitor the discharge from the constructed wetlands facility on a monthly basis when the wetland is discharging. No report was received for the month of May and the report for June is required to be submitted no later than July 15. Please report the results of your May, 2011 water quality sample as soon as possible.

Please note that you have had several violations of the ammonia limits for your constructed wetlands outfall. These limits are listed in Part I,B. of your CAFO NPDES permit. Please note that "winter" is considered to be the period from November 1 through April 30 and "summer" is considered to be the period from May 1 through October 31. The limits took effect when your CAFO NPDES renewal permit became active on December 1, 2010. A table listing your limits is shown below.

Table 1. Ammonia Limits for Mad River Egg Farm CAFO NPDES Permit

Summer NH ₃ Monthly Limit	1.12 mg/L
Summer NH ₃ Maximum Limit	9.08 mg/L
Winter NH ₃ Monthly Limit	1.9 mg/L
Winter NH ₃ Maximum Limit	5 mg/L

The ammonia concentrations which have been reported to Ohio EPA in 2011 for the wetlands outfall are listed below in Table 2.

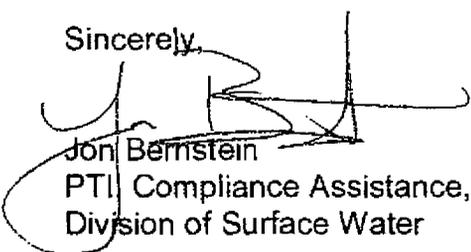
Table 2. Ammonia Concentrations Reported to Ohio EPA

Ammonia	2.4	mg/l	1/11/2011
Ammonia	1.9	mg/l	2/11/2011
Ammonia	6.2	mg/l	3/2/2011
Ammonia	3.9	mg/l	4/8/2011

Please note that in 2011 you have had three exceedances of your winter monthly ammonia limit and one exceedance of your winter maximum ammonia limit. In order to maintain compliance with your monthly limit, you may have to collect more than one sample per month. You also may need to take corrective actions if you continue to have exceedances of your maximum ammonia discharge limit.

Please respond to issues mentioned above **within 30 days** of receipt of this letter. Should you have any questions or concerns, feel free to contact me at 614-728-2397 or at jon.bernstein@epa.state.oh.us.

Sincerely,



Jon Bernstein

PTI Compliance Assistance, & CAFO Unit
Division of Surface Water

cc: Kevin Elder, ODA-LEPP

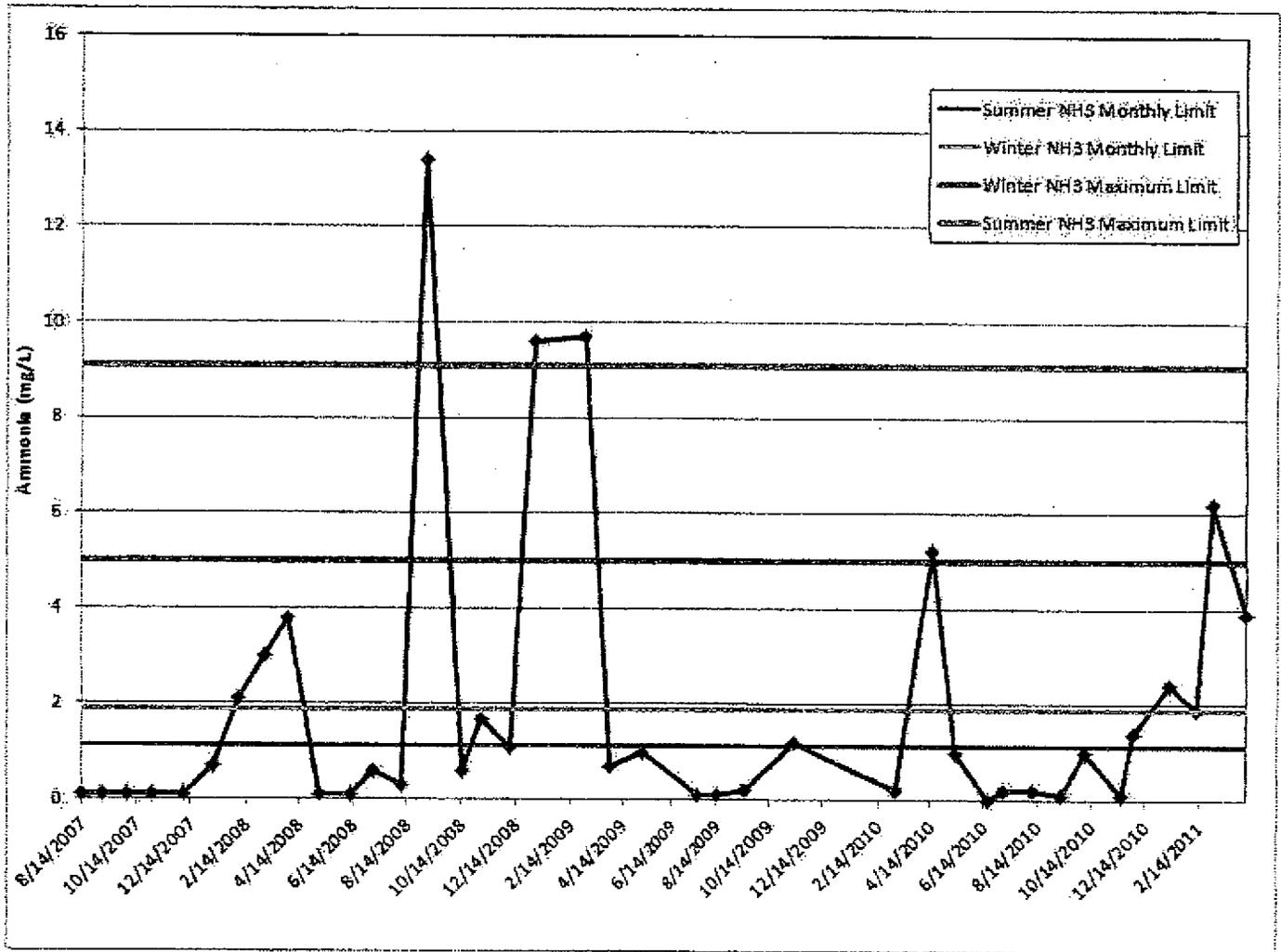


Figure 1. Constructed Wetlands Outfall, Ammonia Concentrations Reported by New Day Farms, Mad River Egg Farm