



State of Ohio Environmental Protection Agency  
Southwest District

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Dayton, Ohio 45402-2911

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Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

July 29, 2009

Mr. Jay Taylor  
Emery Oleochemicals, LLC  
4900 Este Avenue  
Cincinnati, Ohio 45232

**Re: Emery Oleochemicals, LLC – OH0137821;1IF00018\*AD – RI**

**NOTICE OF VIOLATION**

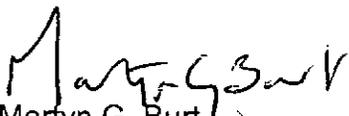
Dear Mr. Taylor:

On July 20, 2009, Marianne Piekutowski of this office met with Jerry Price and conducted a Reconnaissance Inspection (RI), and verified there were no discharges from the three outfalls listed in the NPDES permit modification request. Please note that the report, by its format, tends to highlight negative areas.

As indicated in the attached RI report, the only area that was evaluated was the "Effluent/Receiving Waters". This received a rating of Marginal because of the Oil & Grease and pH violations. Additional details on this rating are provided in the attached report.

If you would have any questions regarding this inspection, please contact Ms. Piekutowski at this office at 937.285.6108.

Sincerely,

  
Martyn G. Burt  
Environmental Supervisor  
Division of Surface Water

Enclosures

Cc: Mike Groh, Emery Oleochemicals, LLC  
Jerry Price, Emery Oleochemicals, LLC





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NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
11F00018*AD	OH0137821	07/20/2009	R	S	1

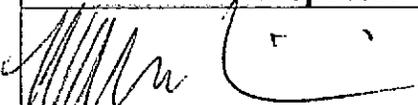
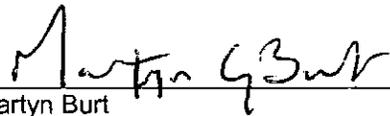
Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Emery Oleochemicals, LLC 4900 Este Avenue Cincinnati, Ohio 45232	9:30 am	3/1/2008
	Exit Time	Permit Expiration Date
	10:15 am	2/28/2013
Name(s) and Title(s) of On-Site Representatives		Phone Number(s)
Jerry Price, Environmental Specialist		513.482.3568
Name, Address and Title of Responsible Official		Phone Number
Jay Taylor, Operations Director Emery Oleochemicals, LLC 4900 Este Avenue Cincinnati, Ohio 45232		

Section C: Areas Evaluated During Inspection					
(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
N	Permit	N	Flow Measurement	N	Pretreatment
N	Records/Reports	N	Laboratory	N	Compliance Schedule
N	Operations & Maintenance	M	Effluent/Receiving Waters	N	Self-Monitoring Program
N	Facility Site Review	N	Sludge Storage/Disposal	N	Other
N	Collection System				

**Section D: Summary of Findings (Attach additional sheets if necessary)**

The facility was rated as Marginal for Effluent/Receiving Waters because the facility is having Oil & Grease violations. This report will serve as the Notice of Violation.

Additional information is provided on the following pages.

Inspector	Reviewer
 Marianne Piekutowski Division of Surface Water Southwest District Office	 Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office
7/29/09 Date	7/29/09 Date

### EFFLUENT LIMIT VIOLATIONS

Parameter	Outfall	Code	Date	Reported	Limit
Oil & Grease	007	00552	12/09/08	27.8 mg/L	10 mg/L (D)
Oil & Grease	013	00552	01/09/09	51.4 mg/L	10 mg/L (D)
Oil & Grease	013	00552	02/10/09	144 mg/L	10 mg/L (D)
Oil & Grease	039	00552	02/10/09	19.1 mg/L	10 mg/L (D)
Oil & Grease	007	00552	03/08/09	14.8 mg/L	10 mg/L (D)
Oil & Grease	013	00552	03/08/09	18.3 mg/L	10 mg/L (D)
Oil & Grease	013	00552	04/02/09	12.3 mg/L	10 mg/L (D)
pH	013	00400	05/06/09	9.8 SU	9.0 SU (Max)
Oil & Grease	039	00552	05/06/09	10.7 mg/L	10 mg/L (D)

Please be advised that failure to comply with the effluent limitations, or to satisfy monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

The steps being taken to resolve these violations were in the 24 notification documentation. The facility should continue to update Ohio EPA on the status of the line replacements and other action items.

#### Permit Modification

The facility is asking for the deletion of three outfalls from its NPDES permits. These are outfalls 11F00018004, 11F00018006, and 11F00018009. There was no discharge from these outfalls the day of the inspection. The lines have been broken three or four feet in from the outlet. They will be concreted in so there can be no discharge. This must be completed as soon as possible. The flow in the Mill Creek must be down enough to bring equipment into the channelized area.

#### REQUIRED ACTION

Emery Oleochemicals LLC must provide written notification within ten (10) days of completion of the filling of the outfalls. This notification must include pictures of the completed work.

12/24

