



State of Ohio Environmental Protection Agency

Southwest District Office

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

September 21, 2009

James Brett
Westland Development Limited Corporation
5700 Dry Fork Road
Cleves, Ohio 45002

RE: Notice of Violation
NPDES Permit Compliance Evaluation Inspection
Dry Fork Mobile Home Park
Permit no. 1PY00001*BD, OH0109380

Dear Mr. Brett:

On September 16, 2009, Marianne Piekutowski and I performed a compliance evaluation inspection at the Dry Fork Mobile Home Park's Wastewater Treatment Plant. We met with you to go over some records and to discuss the compliance issues at the plant. I have attached a copy of the inspection report and a summary of findings. I've also attached a Notice of Violation after reviewing the DMRs that were recently submitted.

An unsatisfactory rating was given to records/reports, effluent/receiving waters and self-monitoring program due to the violations of the conditions of the NPDES permit. You are required to respond to the Required Actions discussed in the summary of the report within 10 days of receipt of this letter. Your response should indicate your intentions to address the five, non-compliance items identified. If you have any questions, please call me at (937) 285-6101.

Sincerely,

Mary Osika
Environmental Specialist
Division of Surface Water

Enclosures

Summary of Findings/ Comments

On September 8, 2008, Ned Sarle sent a Notice of Violation to James Brett with a list of 21 effluent limit violations during the period of October 2007 – July 2008. There were also monitoring violations noted during this timeframe. A response was required and this office did not receive one.

On November 20, 2008, Mary Osika sent a Notice of Violation after a reconnaissance inspection and compliance review. During the review period of January 2008 – September 2008 a total of 23 effluent limit violations were noted. A response was required and again this office did not receive a response.

On September 14, 2009, a computer report showed that the Dry Fork Mobile Home Park had not submitted DMRs from November 2008 – July 2009.

On September 16, 2009, a compliance inspection was conducted at the Dry Fork Mobile Home Park's wastewater treatment plant. Mary Osika and Marianne Piekutowski met with Jim Brett, president of Westland Development Limited Corporation, owner of the Dry Fork Mobile Home Park. The treatment plant operator, Buddy Ruby, had ceased employment as operator of the treatment plant the previous day according to Mr. Brett. Mr. Brett stated that he would have a new operator by the beginning of October. Mr. Brett also stated that the DMRs that were missing from November 2008 – July 2009 were electronically submitted on September 15, 2009. Mr. Brett stated that some sampling frequencies were not followed and that they will be correcting this with the person responsible for collecting samples.

The treatment plant appeared to be operating in a satisfactory manner. The only things noted were that one sand filter needed to be cleaned and that sludge had not been removed from the facility for quite a while.

The attached Notice of Violation lists the effluent violations and monitoring violations during the review period of November 2008 – July 2009. There were 18 effluent limit violations during this period and 6 monitoring violations.

Required Actions

The DMR data for this facility shows that there is a problem with this treatment plant's ability to meet the Ammonia- Nitrogen limits. The owner/operator is required to come up with a plan to show how they will resolve this problem. The facility needs a new treatment plant operator and this treatment plant must be evaluated to see if aeration/sludge wasting is an issue related to the Ammonia violations. The following interim compliance actions are required:

1. By October 1, 2009, contract with a class I (minimum) wastewater operator and submit the Operator of Record form to this office. Submit the form to Mary Osika at this office or at this email address: mary.osika@epa.state.oh.us

The link to this form is:

http://www.epa.ohio.gov/portals/28/documents/opcert/Operator_of_Record_Notification_Form.pdf

2. Make sure proper record keeping is occurring for the lab samples and for operation and maintenance at the treatment plant. Chain of custody forms should be kept with the sample results from the contract laboratory. An operators log should be kept at the treatment plant (out of the weather, such as a mail box) so that daily maintenance logs can be kept by the operator and maintenance persons. The person's name, date, time and all activities performed should all be logged in this operator's log. Make sure the log is in conformance with OAC 3745-7.
3. By October 15, 2009, the operator of the treatment plant should evaluate the operation and treatment capabilities of the plant and come up with a plan to meet the Ammonia-nitrogen limits of the NPDES permit. This plan should address areas of aeration, sludge wasting and any other operational issues that may affect the plant's ability to meet the required effluent limits in the permit. The plan should be signed by the operator and dated. The plan must be submitted to Mary Osika of this office by October 25, 2009.
4. Non-compliance notifications should be sent by the operator of the plant and copied to the owner of the treatment plant.
5. eDMR reports should be submitted to Ohio EPA in accordance with part III of the NPDES permit and submitted no later than the 20th day following the reporting month.

NOTICE OF VIOLATION

Dry Fork Mobile Home Park,
NPDES Permit #1PY00001*BD, OH0109380

The Daily Monitoring Reports were reviewed for the review period of November 1, 2008 through July 31, 2009. For outfall 1PY00001001, the following effluent limit violations occurred during this time period :

<u>Date</u>	<u>Parameter</u>	<u>Meas. Freq.</u>	<u>Permit Limit</u>	<u>Reported</u>
5/2009	Ammonia-N	30 D Conc.	1.0 mg/l	19.1 mg/l
5/2009	Ammonia-N	30 D Qty.	0.12 kg/d	0.61 kg/d
5/1/09	Ammonia-N	7 D Conc.	1.5 mg/l	19.1 mg/l
5/1/09	Ammonia-N	7 D Qty.	0.18 kg/d	0.61 kg/d
5/2009	Fecal Coliform	30 D Conc.	1000 c/100ml	4582 c/100ml
5/1/09	Fecal Coliform	7 D Conc.	2000 c/100ml	2100 c/100ml
5/15/09	Fecal Coliform	7 D Conc.	2000 c/100ml	10000 c/100ml
6/2009	Ammonia-N	30 D Conc.	1.0 mg/l	10.1 mg/l
6/2009	Ammonia-N	30 D Qty.	0.12 kg/d	0.53 kg/d
6/2009	CBOD5	30 D Conc.	10.0 mg/l	11.2 mg/l
6/1/09	Ammonia-N	7 D Conc.	1.5 mg/l	14.3 mg/l
6/1/09	Ammonia-N	7 D Qty.	0.18 kg/d	0.74 kg/d
6/15/09	Ammonia-N	7 D Conc.	1.5 mg/l	5.8 mg/l
6/15/09	Ammonia-N	7 D Qty.	0.18 kg/d	0.31 kg/d
7/2009	Ammonia-N	30 D Conc.	1.0 mg/l	6.5 mg/l
7/2009	Ammonia-N	30 D Qty.	0.12 kg/d	0.23 kg/d
7/1/09	Ammonia-N	7 D Conc.	1.5 mg/l	12.9 mg/l
7/1/09	Ammonia-N	7 D Qty.	0.18 kg/d	0.45 kg/d

The following monitoring and reporting violations were noted for this time period:

<u>Date</u>	<u>Parameter</u>	<u>Sampling Freq.</u>	<u>Expected</u>	<u>Reported</u>
2/15/2009	Ammonia-N	1/ 2 weeks	1	0
3/15/2009	Ammonia-N	1/ 2 weeks	1	0
4/15/2009	Ammonia-N	1/ 2 weeks	1	0
5/15/2009	Ammonia-N	1/ 2 weeks	1	0
6/8/2009	Total Susp. Solids	1/week	1	0
6/8/2009	CBOD5	1/week	1	0

Non-compliance notifications were not submitted for any permit violations. This is required under Part III, 12. of the NPDES permit.

Failure to submit the DMRs from November 2008 – July 2009 in the timeframe required is a violation of the NPDES permit's reporting requirements in Part III, 4.



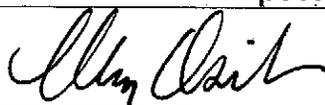
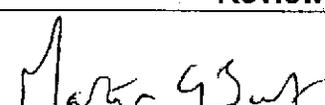
State of Ohio Environmental Protection Agency
Southwest District Office

NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1PY00001*BD	OH0109380	9/16/2009	Compliance	State	Semi-public

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Dry Fork Mobile Home Park 5700 Dry Fork Road Cleves, Ohio	12:00 pm	November 1, 2006
	Exit Time	Permit Expiration Date
	1:00 pm	October 31, 2011
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Jim Brett, President, Westland Development LC	(513) 367-9060	
Name, Address and Title of Responsible Official	Phone Number	
Jim Brett, Westland Development LC 5700 Dry Fork Road Cleves, Ohio 45002	(513) 367-9060	

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

Section D: Summary of Findings (Attach additional sheets if necessary)	
See attached summary sheet.	
Inspector	Reviewer
	
9/21/09	9/21/09
Mary Osika Division of Surface Water Southwest District Office	Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office
Date	Date

Sections E thru K: Complete on all inspections as appropriate
Y – Yes, N – No, N/A – Not Applicable, N/E – Not Evaluated

Section E: Permit Verification

Inspection observations verify the permit

- (a) Correct name and mailing address of permittee Y
- (b) Correct name and location of receiving waters..... Y
- (c) Product(s) and production rates conform with permit application (Industries)..... Y
- (d) Flows and loadings conform with NPDES permit..... Y
- (e) Treatment processes are as described in permit application... Y
- (f) New treatment process(es) added since last inspection..... N
- (g) Notification given to State of new, different or increased discharges..... N/A
- (h) All discharges are permitted..... Y
- (i) Number and location of discharge points are as described in permit..... Y

Comments/Status:

Section F: Permit Compliance

- (a) Any significant violations since the last inspection..... Y
- (b) Permittee is taking actions to resolve violations..... Y
- (c) Permittee has a compliance schedule..... N
- (d) Compliance schedule contained in
- (e) Permittee is meeting compliance schedule..... N/A

Comments/Status:

See summary sheet.

Section G: Operation & Maintenance

Treatment Works:

Treatment facility properly operated and maintained

- (a) Standby power available....generator or dual feed N
- (b) Adequate alarm system available for power or equipment failures.. Y
- (c) All treatment units in service other than backup units..... Y
- (d) Wastewater Treatment Works classification (OAC 3745-7)..... I
- (e) Operator of Record holds unexpired license of class required by permit..... N
 Class: I
- (f) Copy of certificate of Operator of Record displayed on-site.... N
- (g) Minimum operator staffing requirements fulfilled (OAC 3745-7)... N/E
- (h) Routine and preventative maintenance scheduled/performed... Y
- (i) Any major equipment breakdown since last inspection..... N/E
- (j) Operation and maintenance manual provided and maintained.... N/E
- (k) Any plant bypasses since last inspection..... N
- (l) Regulatory agency notified of bypasses..... N/A
 On MORs and/or Spill Hotline (1-800-282-9378)
- (m) Any hydraulic and/or organic overloads since last inspection..... N

Record Keeping:

- (a) Log book provided..... N/E
- (b) Format of log book (i.e. computer log, hard bound book)
- (c) Log book(s) kept onsite (in an area protected from weather)..... N/E
- (d) Log book contains the following:
 - I. Identification of treatment works..... N/E
 - II. Date/times of arrival/departure for Operator of Record and any other operator required by OAC 3745-7..... N/E
 - III. Daily record of operation and maintenance activities (including preventative maintenance, repairs and request for repairs)..... N/E
 - IV. Laboratory results (unless documented on bench sheets)... N/E
 - V. Identification of person making log entries..... N/E
- (d) Has the operator of record submitted written notification to the permittee, Ohio EPA and (if applicable) any local environmental agencies when a collection system overflow, treatment plant bypass or effluent limit violation has occurred..... N

Section G: Operation & Maintenance (con't)

Collection System:

- (a) Percent combined system: %
- (b) Any collection system overflows since last inspection..... N/E
(CSO and/or SSO)
- (c) Regulatory agency notified of overflows (SSOs)..... N/E
- (d) CSO O&M plan provided and implemented..... N/E
- (e) CSOs monitored and reported in accordance with permit..... N/E
- (f) Portable pumps used to relieve system..... N/E
- (g) Lift station alarms provided and maintained..... N/E
- (h) Are lift stations equipped with permanent standby power
or equivalent..... N/E
- (i) Is there an inflow/infiltration problem (separate sewer system),
or were there any major repairs to collection system since
last inspection..... N/E
- (j) Any complaints received since last inspection of basement flooding N/E
- (k) Are any portions of the sewer system at or near capacity..... N/E

Comments/Status:

Section H: Sludge Management

- (a) Sludge management plan (SMP)
Submitted date: Approval #: Not submitted N/E
- (b) Sludge management plan current..... N/E
(c) Sludge adequately disposed..... Y
(Method:)
(d) If sludge is incinerated, where is ash disposed of
(e) Is sludge disposal contracted..... Y
(Name:)
(f) Has amount of sludge generated changed significantly since
last inspection..... N/E
(g) Adequate sludge storage provided at plant..... Y
(h) Land application sites monitored and inspected per SMP..... N/A
(i) Records kept in accordance with State and Federal law..... Y
(j) Any complaints received in last year regarding sludge..... N
(k) Is sludge adequately processed (digestion, pathogen control)..... N/A

Comments/Status:

See attached summary.

Section I: Self-Monitoring Program

Flow Measurement:

- (a) Primary flow measuring device operated and maintained..... Y
Type of device: Ultrasonic & Parshall flume Ultrasonic & Weir Weir
Calculated from influent Other (Specify:)
- (b) Calibration frequency adequate N/A
(Date of last calibration:)
(c) Secondary instruments operated and maintained..... N/A
(d) Flow measurement equipment adequate to handle full range
of flows..... N/A
(e) Actual flow discharged is measured..... N
(f) Flow measuring equipment inspection frequency
 Daily Weekly monthly other

Comments/Status:

Section I: Self-Monitoring Program (con't)

Sampling:

- (a) Sampling location(s) are as specified by permit..... Y
- (b) Parameters and sampling frequency agree with permit..... N
- (c) Permittee uses required sampling method..... Y
- (d) Sample collection procedures are adequate..... N/E
 - (i) Samples refrigerated during compositing..... N/E
 - (ii) Proper preservation techniques used..... N/E
 - (iii) Containers and sample holding times prior to analysis conform with 40 CFR 136.3..... N/E
- (e) Monitoring records (i.e., flow, pH, DO) maintained for a minimum of three years including all original strip chart recordings (i.e, continuous monitoring instrumentation, calibration and maintenance records)..... Y
- (f) Adequate records maintained of sampling date, time, location, etc.. N

Laboratory:

General

- (a) EPA approved analytical testing procedures used (40 CFR 136.3).. Y
 - (b) If alternate analytical procedures are used, proper approval has been obtained..... Y
 - (c) Analyses being performed more frequently than required by permit. N
 - (d) If (c) is yes, are results in permittee's self-monitoring report..... N/A
 - (e) Commercial laboratory used..... Y
- Parameters analyzed by commercial lab:

Lab name: MASI

Quality Control/Quality Assurance

- (f) Quality assurance manual provided and maintained..... N/E
- (g) Satisfactory calibration and maintenance of instruments/equipment. N/E
- (h) Adequate records maintained..... N/E
- (i) Results of latest USEPA quality assurance performance sampling program: Satisfactory Marginal Unsatisfactory

Date:

Comments/Status:

Chain of custody for lab samples should be kept at site and accessible. (preferably with lab results)

See attached summary.

Section J: Effluent/Receiving Water Observations

Outfall Number	Outfall sign in place?	Oil sheen	Grease	Turbidity	Foam	Solids	Color	Other
001	no	no	no	no	no	no	no	

Comments/Status:

Section K: Multimedia Observations

- (a) Are there indications of sloppy housekeeping or poor maintenance in work and storage areas or laboratories..... N
- (b) Do you notice staining or discoloration of soils, pavement or floors.. N
- (c) Do you notice distressed (unhealthy, discolored, dead) vegetation.. N
- (d) Do you see unidentified dark smoke or dust clouds coming from sources other than smokestacks..... N
- (e) Do you notice any unusual odors or strong chemical smells..... N
- (f) Do you see any open or unmarked drums, unsecured liquids, or damaged containment facilities..... N

If any of the above are observed, ask the following questions:

- (1) What is the cause of the condition?
- (2) Is the observed condition or source a waste product?
- (3) Where is the suspected contaminant normally disposed?
- (4) Is this disposal permitted?
- (5) How long has the condition existed and when did it begin?

Comments/Status:

