



Environmental  
Protection Agency

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

June 22, 2011

**CERTIFIED LETTER**

Mr. Bud Black, Manager  
Eagles Lake Condominiums Association  
5150 Shoreview Run  
Cincinnati, OH 45248

Re: Hamilton County, Eagles Lake Condominium Association, Compliance Evaluation Inspection, and Notice of Violation

Dear Mr. Black:

On June 15, 2011, I conducted a Compliance Evaluation Inspection at the Eagles Lake Condominium Association WWTP located at 5137 Shoreview Run, Cincinnati, in Hamilton County. I have included with this letter a copy of my inspection report.

This letter also serves as a Notice of Violation (NOV) for the violations found in Appendix A of the inspection report, violations of Part II and Part III of permit 1PW00029\*DD and Ohio Administrative Code 3745-42-02. The following violations will require a written response:

- As part of the inspection process a compliance review was performed on the facility for the time period of January 1, 2011 through May 1, 2011. Appendix A of the inspection report lists the Final Effluent violation for the timeframe reviewed.
- During the course of the inspection it was discovered that the surface sand filters were overflowing onto the ground. This constitutes a bypass of treatment. The term "Bypass" means the intentional diversion of waste streams from any portion of the treatment facility. The act of bypassing is considered an "Unauthorized Discharge" as described in Part III Item 11 of permit 1PW00029\*DD. ORC 6111.07(A) states "No person shall violate or fail to perform any duty imposed by sections 6111.01 to 6111.08 of the Revised Code or violate any order, rule, or term or condition of a permit issued or adopted by the director of environmental protection pursuant to those sections. Each day of violation is a separate offense." The bypassing of the sand filters was also noted in the inspection report dated March 6, 2009.
- It was determined that the aforementioned bypass event was due to the lack of maintenance of the surface sand filters. Failure to maintain the surface sand filters in good working order is a violation of Part III, Item 3 of permit 1PW00029\*DD. Part III, Item 3 states "At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with this permit. ...".

- During the inspection it was discovered that a piped bypass had been installed on one of the surface sand filters. It would appear that this was installed so that the flow would automatically bypass the surface sand filters in the event that the sand filters became plugged. Upon review of the Permit to Install issued in 1985 it would appear that this piping was installed without the approval of the Ohio EPA. This piping should either be removed or cut and capped to prevent a bypass event from occurring. The bypass piping installation is in violation of the Permit to Install requirements found in Ohio Administrative Code 3745-42-02.

Please inform this office, in writing, within ten days of receipt of this notification as to the reason for the above referenced violation, as well as a description of the actions taken or proposed to prevent further violations. Your response should include the dates, either actual or proposed, for completion of said actions.

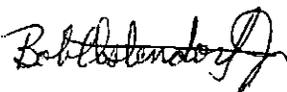
The following violations / observations will not require a written response:

- In reviewing the methodology for the collection of composite samples it was discovered that the samples were not being collected in accordance with the requirements found in Part II of permit 1PW00029\*DD. During the inspection the operator explained that the rationale used when collecting composite samples was to collect a more representative sample. In a discussion with the operator it was apparent that he was unaware that Part II of permit 1PW00029\*DD is very specific in the manner the composite samples are to be collected. Please be advised that although this appears to have been an oversight, this is considered a violation of permit 1PW00029\*DD.
- In reviewing the Data Monitoring Reports it appears that there may be some typographical errors for the flow data being submitted. Please confirm that the flow data being submitted is representative of the flow being discharged from the facility.

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

If you have any questions regarding this matter please feel free to contact me at (937) 285-6107 or via email at: [Robert.Ostendorf@epa.state.oh.us](mailto:Robert.Ostendorf@epa.state.oh.us).

Sincerely,



Bob Ostendorf Jr.  
Division of Surface Water  
Permits Section

Enclosure

Cc: Mr. Dennis Feichtner, National Wastewater Industries, Inc.

Also complete  
and address on the reverse  
can return the card to you,  
attach this card to the back of the mailpiece,  
or on the front if space permits.

1. Article Addressed to:  
  
MR BUD BLACK, MANAGER  
EAGLES LAKE CONDO ASSOC.  
5150 SHOREVIEW RUN  
CINCINNATI, OH 45248

2. Article Number  
(Transfer from service label)  
PS Form 3811, February 2004

7010 1060 0002 4250 5252  
Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x O. Black

B. Received by (Printed Name)

Agent  
 Addressee

C. Date of Delivery  
6-24-11

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

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3. Service Type  
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4. Restricted Delivery? (Extra Fee)

Yes

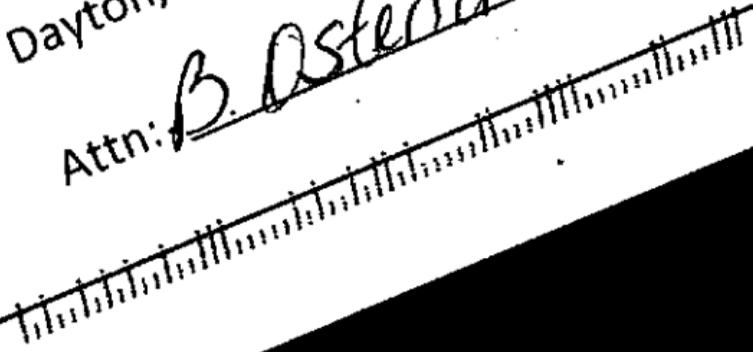
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Southwest District Office  
401 East Fifth Street  
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Attn: B. Astendorf



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6/23/2011

2525 0524 2000 0901 0102  
7010 1060 0002 4250 5252

Sent To: Bud Black, Eagles Lake Condos  
Street, Apt. No.,  
or PO Box No. 5150 Shoreview Run  
City, State, ZIP+4 Cincinnati OH 45248

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**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2008 (Reverse) PSN 7530-02-000-9047



State of Ohio Environmental Protection Agency  
Southwest District Office

NPDES Compliance Inspection Report  
Semi-Public Sewage Disposal Inspection Form

Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1PW00029*DD	OH0093050	6/15/11	C	S	2

Section B: Facility Data	
<b>Name and Location of Facility Inspected</b>	<b>Entry Time</b>
Eagles Lake Condominium Association 5137 Shoreview Run Cincinnati, OH 45248	0950
	<b>Exit Time</b>
	10:30
<b>Name(s) and Title(s) of On-Site Representatives</b>	<b>Permit Effective Date</b>
Mr. Dennis Feichtner, NWI Mr. Danny Wuebblesler, NWI	June 6, 2007
	<b>Permit Expiration Date</b>
	June 30, 2012
<b>Name(s) and Title(s) of On-Site Representatives</b>	<b>Phone Number(s)</b>
Mr. Dennis Feichtner, NWI Mr. Danny Wuebblesler, NWI	513-367-5969 513-367-5969
<b>Name(s), Address and Title(s) of Operator of Record</b>	<b>Phone Number(s)</b>
Mr. Dennis Feichtner (WW3-1015558-82), Operator of Record	513-367-5969
<b>Name, Address and Title of Responsible Official</b>	<b>Phone Number</b>
Mr. Bud Black Condominium Manager 5150 Shoreview Run Cincinnati, OH 45248	513-598-6422

Ohio EPA Inspector	Ohio EPA Reviewer
 Bob Ostendorf Jr. Division of Surface Water Southwest District Office	 Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office
6-22-11 Date	6/23/11 Date

Average Daily Design Flow:	50,000 Gallons/Day
Plant Serves:	Homeowners Association
Average Daily Flow (Period of Review):	1,681 Gallons/Day (January 1, 2011 – May 1, 2011)
Method of flow monitoring:	Meter
Type of alarms for plant:	None

**Pretreatment**

Type of Pretreatment: **Trash Trap**  
 Does the Trash Trap need pumped: **No**  
 Maintenance of pretreatment components is: **Good**

**Comments/Status:**

Upon review of the data submitted with the monthly report it appears that there may be an issue with the flow monitoring data. The data being submitted in the monthly report is substantially lower (1,681 gpd) than anticipated.

**Secondary Treatment  
(Aeration)**

Color of sludge: **Dark Brown**  
 Quality of Sludge: **Heavy**  
 Foam: **Light (dark)**  
 Odor: **No objectionable odor present**

	Yes	No		Yes	No
Aeration is taking place	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plant is septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Blowers are operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Blowers are on a timer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Skimmers are operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plant is flooded	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diffusers are operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Grating is present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sludge return is operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

Maintenance of aerating equipment is...**Good**

**Comments/Status:**

**Secondary Treatment  
(Settling)**

Clarity: **Clear**  
 Condition of Weir: **Excessive Algae/Solids Build Up**  
 Weir is level: **Yes**

Permit # : 1PW00029\*DD  
 NPDES # : OH0093050

Effluent in weir: **Clear**  
 Clarifier walls need scraped: **Unknown**

Overall maintenance of settling components is: **Good**

**Comments/Status:**

The secondary clarifier and up-flow filter appeared to be working properly but it was evident that the up-flow filter was in need of being cleaned.

**Tertiary Treatment**

	Yes	No		Yes	No
Surface sand Filters: <b>Slow</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Subsurface</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Distribution box operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Beds alternated	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are filters ponding/flooding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Beds raked	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sand filters overgrown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chlorination present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UV present	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dechlorination present	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Overall maintenance of components is: **Poor**

**Comments/Status:**

At the time of the inspection all three of the sand filters were severely ponded with one sand filter overflowing onto the ground. Upon investigation it was determined that the sand filter had just started overflowing onto the ground. In discussion with the operator it was discovered that the sand filter which was overflowing had recently been cleaned. Both of the other two sand filters needed to be cleaned and the middle sand filter was also severely overgrown with weeds. Upon further discussion with the operator it was discovered that the third sand filter was equipped with a bypass pipe. In an effort to avoid the wastewater overflowing onto the ground the flow was partially diverted to the third clarifier. Although the flow was still bypassing treatment (sand filter) the flow would receive disinfection prior to discharge. The operator and I discussed the notification requirements within the permit and it was determined that the requirements had been satisfied due to my presence at discovery of the bypass event. The operator and I discussed the poor condition of the sand filters. The operator made me aware of several entries in the logbook which indicated that he had repeatedly requested that the facility maintain the sand filters (clean and remove weeds).

**Sludge Handling/Storage Disposal**

Hauler name: Savings Liquid Waste  
 Disposal Site: Nearest MSD Facility  
 Sludge wasted from: RAS Line  
 How often is sludge wasted: As needed  
 Sludge drying beds: **No**                      Sludge holding tank: **Yes**

Overall maintenance of components is: **Good**

**Comments/Status:**

**Plant Discharge**

Discharge point is a: **Ditch**  
Name of discharge point: **Unnamed tributary to Taylor Creek**  
Discharge is visible: **Yes**                      Quality of Effluent: **Clear**

**Comments/Status:**

\_\_\_\_\_

**Record Keeping/Operator of Record**

- (a) Wastewater treatment Works Classification (OAC 3745-7).....I
- (b) Operator of Record holds unexpired license of class required by NPDES permit;.....Y
- (c) Copy of certificate of Operator of Record displayed on site?.....Y
- (d) Has the Operator of Record submitted an ORC notification form?.....Y
- (e) Minimum operator staffing hours fulfilled? .....Y
- (f) Operator of Record logbook provided?.....Y
- (g) Format of logbook (eg computer log, hard bound book etc.)

The logbook is a spiral bound calendar. In reviewing the logbook it was determined that although composite samples were being collected from the facility the methodology of the sample collection was not in accordance with permit requirements. In an effort to have the composite samples be more representative the collection would start the evening before. Mr. Feichtner and I discussed the current sampling practices and reviewed the requirements as written in the permit.

- (h) Logbook kept onsite in an area protected from weather.....Y
- (i) Logbook contains each of the following:
  - a. Identification of treatment works..... Y
  - b. Dates and times of arrival and departure of OR and any other operator.....Y
  - c. Daily record of operator and maintenance activities including preventative maintenance, repairs, process control tests etc.....Y
  - d. Laboratory analysis results unless documented on bench sheets.....Y
  - e. Identification of person making entries.....Y
- (j) Has the operator of record submitted written notifications to the permittee and Ohio EPA when a collection system overflow, treatment plant bypass or effluent limit violation has occurred?.....Y

**Comments/Status:**

It was discussed during the inspection that Mr. Wuebbler recently took the Class I certification examination and is waiting for the results. If Mr. Wuebbler obtains his Class I certification it is intended that he will become the Operator of Record for this facility. We discussed that an Operator of Record Notification form would be required for this transition.

Permit # : 1PW00029\*DL  
NPDES #: OH0093050

**Appendix A**  
**Effluent Limit Violations**  
**Period of Review: 1/1/11 – 5/1/11**

Final Effluent Violations					
Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2011	CBOD	Monthly Conc	10	10.75	3/1/2011

