



Environmental  
Protection Agency

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



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HAMILTON PCS PURIFIED PHOSPHATES

OSIKA, MARY

2010/03/26



**Environmental  
Protection Agency**

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

March 26, 2010

Jack Sullivan  
PCS Purified Phosphates  
10818 Paddy's Run Road  
Harrison, Ohio 45030

RE: NOTICE OF VIOLATION  
PCS Purified Phosphates  
Hamilton County  
NPDES Permit 11E00001\*FD

Dear Mr. Sullivan:

I have reviewed your self-monitoring reports for the months of September 2009 through February 2010, for the discharge outfall 001 from the wastewater treatment system. The review indicates the following effluent limit violations of the NPDES permit for this facility.

**EFFLUENT LIMIT VIOLATIONS AT OUTFALL 001**

| <u>Parameter</u>        | <u>Date</u> | <u>Permit Limit</u> | <u>Value Reported</u> |
|-------------------------|-------------|---------------------|-----------------------|
| Copper, Total           | 10/26/2009  | 80 mg/l             | 318 mg/l              |
| Copper, Total           | 10/26/2009  | 0.013 kg/day        | 0.0346 kg/day         |
| Copper, Total           | 10/2009     | 46 mg/l             | 318 mg/l              |
| Copper, Total           | 10/2009     | 0.007 kg/day        | 0.0346 kg/day         |
| Suspended Solids, Total | 1/27/2010   | 45 mg/l             | 55 mg/l               |
| Copper, Total           | 2/5/2010    | 80 mg/l             | 410 mg/l              |
| Copper, Total           | 2/5/2010    | 0.013 kg/day        | 0.03316 kg/day        |
| Copper, Total           | 2/2010      | 46 mg/l             | 410 mg/l              |
| Copper, Total           | 2/2010      | 0.007 kg/day        | 0.03316 kg/day        |

Our office received the non-compliance notification for the January and February 2010 effluent limit violations. However, our office did not receive the non-compliance notifications for the October 2009 violations. You may have called to discuss the copper issue, but I cannot find a written non-compliance notification. This is considered a reporting violation of the permit for failure to submit the non-compliance notification as required under Part III, item 12.

On March 12, 2010, I met with you and Brad Peacock to go over the non-compliance issues. From our discussion it appears PCS will be working on a solution to resolve the copper issue within the next few months. Please keep me updated with your process

Jack Sullivan  
March 26, 2010  
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changes or treatment system modifications. I had stated that a PTI would be required after the fact for any modifications made to the treatment system or any additional treatment systems.

Please be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111. You are required to respond to this letter within 10 days of receipt of this letter. Please submit the non-compliance notification from October 2009 and any updates regarding your plan to come into compliance with the copper limits.

If you have any questions regarding this letter, please contact me at (937) 285-6101 or at my email address [mary.osika@epa.state.oh.us](mailto:mary.osika@epa.state.oh.us).

Sincerely,



Mary Osika  
Environmental Specialist  
Division of Surface Water

ec: M. Muse, Potash Corp.