State of Ohio Environmental Protection Agency

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HAMILTON SKYRIDGE CONDOMINIUMS OSTENDORF, ROBE 2009/08/07

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OhioEPA
State of Ohio Environmental Protection Agency

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

August 6, 2009

CERTIFIED LETTER

Ms. Kathleen Klug
Skyridge Condominiums
5411-G Bluesky Drive
Cincinnati, Ohio 45247

Re: Hamilton County, Skyridge Condominiums, Compliance Evaluation Inspection and Notice of Violation

Dear Ms. Klug:

On July 14, 2009, I conducted a Compliance Evaluation Inspection at Skyridge Condominiums (NPDES Permit No. OH0071803; OEPA Permit No. 1PW00016*DD). A copy of my inspection report is enclosed.

This letter also serves as a Notice of Violation (NOV) for the violations found in Appendix A of the inspection report, violations of permit 1PW00016*DD, Ohio Revised Code and the Ohio Administrative Code. The violations of permit 1PW00016*DD, Ohio Revised Code and Ohio Administrative Code are as follows:

- Permit 1PW00016*DD, Part III, Item 3 "Facility Operation and Quality Control" - Failure to maintain the proper operation of the trash trap flow meter, and the surface sand filters.
    - At the time of the inspection the trash trap had recently been cleaned-out (pumped). It appears that the trash trap was at one time equipped with a valve mechanism which allowed the flow to be regulated to each of the aeration tanks. The valve mechanism previously used to regulate the flow to the 2 aeration tanks has been removed and the flow going to the 2 aeration tanks is not regulated to ensure even distribution of the flow. An uneven distribution of flow can inhibit the efficient operation of the wastewater treatment plant.
    - The surface sand filters were recently cleaned out using a piece of heavy equipment (Bobcat). Said practice can compromise the under-drain system and the use of the heavy equipment to complete this task should be discontinued.

- At the time of the inspection it was noted that the ultrasonic flow monitoring device (flow meter) was not working properly. The readings from the flow meter were erroneous and the operator (Rick Hanson) stated that it was the intent of National Wastewater to estimate the flows until such time as the flow meter was repaired. It was reported by the operator and confirmed by the maintenance manager that this piece of equipment had recently been sent out for repairs and had failed shortly after being reinstalled.

- Permit 1PW00016*DD, Part III, Item 5 "Sampling and Analytical Method" - Failure to perform monitoring using an approved analytical method found in 40 CFR Part 136 and failure to collect representative samples.

  - During a conversation with Mr. Chris Doty of Skyridge Condominiums, it was determined that he routinely performs the sampling and analysis of the final effluent for Total Residual Chlorine using a Hach Pocket Colorimeter. Mr. Doty stated that he does not wait after adding the DPD Total Chlorine Powder Pillow. Mr. Doty indicated that he did not have the operating instructions for the Hach Pocket Colorimeter and was performing the analysis as he was instructed by the previous operator of record. Per the instructions for the Hach Pocket Colorimeter you are suppose to wait 3 minutes before analyzing the sample. The procedure as specified by Hach is an approved method found in 40 CFR Part 136. Deviation from the approved procedure invalidates the results of the monitoring event. I encourage you to contact the manufacturer regarding the proper operation of this piece of equipment and the approved analytical procedure. Please provide documentation of training for individuals performing this analytical procedure and provide the Method Detection Limit when using this piece of equipment.

- Permit 1PW00016*DD, Part III, Item 9 "Duty to Provide Information" - Failure to respond to the NOV's issued to Skyridge Condominiums and dated January 28, 2009 and June 3, 2009 respectively.

  - NOV's dated January 28, 2009 and June 3, 2009 respectively, were issued to Skyridge Condominiums and said NOV's cited several violations. A response for each of the NOV's was required within 10 days of receipt. A response for the NOV's has not been received by this office. A copy of the January 28, 2009 and June 3, 2009 NOV's has been included for your use.

- Permit 1PW00016*DD, Part III, Item 12 "Non-compliance Notification" - Failure to notify the Ohio EPA of final effluent violations.

- See Appendix A of the inspection report for a listing of the violations not reported per this requirement.

- Permit 1PW00016*DD, Part III, Item 19 "Transfer of Ownership or Control" - Failure to notify the Director of Ohio EPA of the transfer in ownership of the facility within the specified timeframe.

  - It is the understanding of the Ohio EPA that the previous owner is deceased and the property is now part of a Trust. Please complete the "Application for Transfer of Ohio NPDES Permit" form within 10 days of receipt of this NOV. The "Application for Transfer of NPDES Permit" form has been included with this NOV for your use.

- Ohio Revised Code 6111.44 "Plans for installation or changes to sewerage systems to be submitted to director of environmental protection" - Failure to submit a Permit to Install Application prior to the modification of the surface sand filters.

  - It was determined that the surface sand filters have been modified from the original design reviewed and approved by the Ohio EPA. The original design of the surface sand filters which was approved by the Ohio EPA, did not include an opening in the wall to allow equipment access. Said opening compromises the 18" of free board as specified in Ohio EPA guidance document "Sewage: Collection Treatment and Disposal Where Sewers Are Not Available". The design of the surface sand filters will need to be modified to comply with either the original design or the minimum specifications found in with guidance document "Sewage: Collection Treatment and Disposal Where Sewers Are Not Available".

- Ohio Administrative Code 3745-7-02 "Certified operators required" – Failure to notify the Director of Ohio EPA of the change in the operator of record. OAC 3745-7-02 (2)(a) states that "The owner or operator of a treatment works or sewerage system shall notify the director of the identity of an operator of record in the event of a change in such position".

  - The operator of record was changed effective January 1, 2009 from Mr. Steve Cantor P.E. of Environmental Engineering Services to Mr. Bud Ruby of National Wastewater Industries, Inc. A completed Operator of Record Change Notification Form was not submitted.

  - The operator of record was changed effective July 1, 2009 from Mr. Bud Ruby to Mr. Dennis Feichtner. A completed Operator of Record Change Notification Form was not submitted. The "Operator of Record Notification

Form" was provided to you during the inspection and was subsequently provided to the operator of record, Mr. Dennis Feichtner.

- Ohio Administrative Code 3745-7-09 Recordkeeping requirements and responsibilities of a certified operator" – Failure to maintain, or cause to be maintained, adequate records as required.
    - OAC 3745-7-09 requires that the logbook shall "...guarantee the authenticity and accuracy of the records contained within.". The current logbook is a spiral bound book and does not "guarantee the authenticity and accuracy of the records". The logbook shall be a record which cannot be duplicated or replaced (i.e. hardbound with consecutive numbered pages, well organized computer records, etc.).
    - OAC 3745-7-09 requires that the records contain the dates and times of arrival and departure for the operator of record. The current logbook does not contain arrival and departure times.

Please inform this office, in writing, within ten days of receipt of this notification as to the reason for the above referenced violations, 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. 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.

During the inspection the following observation was made and will require a written response:

- The treatment system has several open tanks that are either missing or have no grating present. This situation poses a hazard to the employees of Skyridge Condominiums and the treatment plant operator. Either OSHA approved hand rails or grating shall be installed to alleviate this hazard. Please refer to the last paragraph of page 13 in the Ohio EPA guidance document "Sewage: Collection Treatment and Disposal Where Sewers Are Not Available" for additional details of this requirement.

The following web link is to the Ohio EPA website for the electronic version of "Sewage: Collection Treatment and Disposal Where Sewers Are Not Available": http://www.epa.state.oh.us/dsw/guidance/guidance.html .

Please submit a written plan of action regarding the above listed observation, including proposed completion dates, to this office by no later than August 21, 2009.

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.

Sincerely,

Bob Ostendorf Jr.
Division of Surface Water
Permits Section

Enclosure

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

OhioEPA

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**
1PW00016*DD	OH0071803	7/14/09	C	S	2

Section B: Facility Data		
Name and Location of Facility Inspected	**Entry Time**	**Permit Effective Date**
Skyridge Condominiums 5411-G Bluesky Drive Cincinnati, OH 45247	12:45	July 1. 2006
	Exit Time	**Permit Expiration Date**
	4:00	June 30, 2011

Name(s) and Title(s) of On-Site Representatives	Phone Number(s)
Mr. Rick Hanson – National Wastewater Industries, Operator Ms. Kathleen Klug – Skyridge Condominiums, Trustee Mr. Chris Doty – Skyridge Condominiums, Maintenance Manager	513-367-5969 513-574-6817 513-574-6817

Name(s), Address and Title(s) of Operator of Record	Phone Number(s)
Dennis Feichtner, Operator of Record National Wastewater Industries 5700 Dry Fork Road Cincinnati, OH 45002	513-367-5969

Name, Address and Title of Responsible Official	Phone Number
Ms. Kathleen Klug, Trustee Skyridge Condominiums 6416 Harrison Ave Cincinnati, OH 45247	513-574-6817

Ohio EPA Inspector	Ohio EPA Reviewer
Bob Ostendorf Jr. 8-4-09	Martyn Burt 8/7/09
Bob Ostendorf Jr. Date Division of Surface Water Southwest District Office	Martyn Burt Date Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office

Permit # : 1PW00016*DD
NPDES #: OH00071803

Average Daily Design Flow:	**50,000 Gallons/Day**
Plant Serves:	Apartment Complex
Average Daily Flow: (Period of Review):	**21,100 Gallons/Day (June 2009)**
Method of flow monitoring:	**Ultrasonic Flow 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: **Fair**

Comments/Status:

The trash trap had been recently pumped. It was determined during the inspection that the trash trap was originally designed with a mechanism to allow for the flow to be adjusted going to the 2 aeration tanks. The mechanisms which allowed for the flow to be adjusted to the 2 aeration tanks have been removed. The flow going to the individual aeration tanks cannot be adjusted to ensure an even distribution of the flow.

Secondary Treatment (Aeration)

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

	Yes	No		Yes	No
Aeration is taking place	☒	☐	Plant is septic	☐	☒
Blowers are operating	☒	☐	Blowers are on a timer	☐	☒
Skimmers are operating	☒	☐	Plant is flooded	☐	☒
Diffusers are operating	☒	☐	Grating is present	☐	☒
Sludge return is operating	☒	☐			

Maintenance of aerating equipment is...**Fair**

Comments/Status:

It was determined that a maintenance person wastes an unknown amount of sludge 3 days per week when the clarifier walls are scraped. It was also determined that the operator (Rick Hanson) performs a settleometer test once per week. It appears that the diffusers are coarse bubble diffusers and are located along the outside wall of the aeration tanks. It was determined that the operator has never performed a DO profile on the aeration tanks and has never checked the DO concentration within the aeration tanks. The blowers are left on at all times. The operator also has never looked at the microorganisms under a microscope to evaluate the type of microorganisms present and the overall health of the microorganisms. The aeration tanks are open tanks of concrete construction with little to no grating present. It was also noted that the tanks do not have handrails present. It was also noted that the 2 aeration tanks were different shades of brown, 1 tank being light and 1 tank being dark. The operator may want to ensure the flow distribution going to the separate aeration tanks is evenly distributed and that the sludge return lines are returning the sludge proportionally to each of the tanks.

Secondary Treatment (Settling)

Clarity:	**Clear**
Condition of Weir:	**Clean**
Weir is level:	**Yes**
Effluent in weir:	**Clear**
Clarifier walls need scraped:	**No**

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

Comments/Status:

The facility is equipped with 2 single hopper clarifiers (one for each treatment train). The clarifiers appeared to be in good working order.

Tertiary Treatment

	Yes	No		Yes	No
Surface sand Filters: **Slow**	☒	☐	**Subsurface**	☐	☒
Distribution box operating	☒	☐	Beds alternated	☒	☐
Are filters ponding/flooding	☐	☒	Beds raked	☒	☐
Sand filters overgrown	☐	☒	Chlorination present	☒	☐
UV present	☐	☒	Dechlorination present	☒	☐

Overall maintenance of components is: **Poor**

Comments/Status:

The surface sand filters were recently cleaned using a front end loader (Bobcat). The use of a this piece of equipment to clean the surface sand filters is ill advised due to the potential that the under-drain system may be compromised. It was discovered during the inspection that the design of the surface sand filters had been altered to allow for the entry of a front end loader into the surface sand filter. A portion of the surface sand filter wall had been cut and the portion of the wall removed was being used as a ramp leading into the surface sand filter. It was noted during the inspection that the discharge from the clarifier to the surface sand filter was clear with little solids. It was also noted that the discharge going to the chlorine contact tank was very turbid. Chlorination and dechlorination tablets were present in the respective tablet feeder tubes.

Sludge Handling/Storage Disposal

Hauler name: Savings Liquid Waste
Disposal Site: Nearest MSD Facility
Sludge wasted from: clarifiers to sludge holding tank
How often is sludge wasted: 3 days per week
Sludge drying beds: **No** Sludge holding tank: **Yes**

Overall maintenance of components is: **Good**

Comments/Status:

An unknown amount of sludge is wasted 3 days per week when the clarifier walls are scraped. It may prove beneficial to the treatment process to establish a methodology to be used for determining the required amount to be wasted (i.e. sludge age, MLSS concentration, MCRT, etc.).

Plant Discharge

Discharge point is a: **Ditch**
Name of discharge point: **Unnamed Tributary of Taylor Creek**
Discharge is visible: **No** Quality of Effluent: **Unknown**

Comments/Status:

The discharge point of the final effluent was located within an area which was overgrown with weeds and brush. Please be advised that the area leading to and including the discharge point should be cleared of weeds and brush to allow for easy access to the discharge point.

Appendix A - Violations

Final Effluent Violations					
Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
May 2009	Ammonia	Monthly Conc	1.5	2.4	5/1/2009
May 2009	Fecal Coliform	Monthly Conc	1000	6000	5/1/2009
May 2009	Chlorine	Daily Conc	0.019	0.05	5/1/2009
May 2009	Chlorine	Daily Conc	0.019	0.06	5/5/2009
May 2009	Chlorine	Daily Conc	0.019	0.06	5/6/2009
May 2009	Chlorine	Daily Conc	0.019	0.07	5/7/2009
May 2009	Chlorine	Daily Conc	0.019	0.06	5/8/2009
May 2009	Chlorine	Daily Conc	0.019	0.05	5/13/2009
May 2009	Chlorine	Daily Conc	0.019	0.05	5/14/2009
May 2009	Ammonia	Weekly Conc	2.25	3.00	5/15/2009
May 2009	Fecal Coliform	Weekly Conc	2000	6000	5/15/2009
May 2009	Chlorine	Daily Conc	0.019	0.06	5/15/2009
May 2009	TSS	Weekly Conc	18	25	5/22/2009
May 2009	Chlorine	Daily Conc	0.019	0.05	5/26/2009
May 2009	Chlorine	Daily Conc	0.019	0.05	5/27/2009
May 2009	Chlorine	Daily Conc	0.019	0.05	5/28/2009
June 2009	TSS	Monthly Conc	12	14	6/1/2009
June 2009	TSS	Weekly Conc	18	24	6/1/2009
June 2009	Ammonia	Monthly Conc	1.5	3.3	6/1/2009
June 2009	Ammonia	Monthly Qty	0.28	0.57	6/1/2009
June 2009	Chlorine	Daily Conc	0.019	0.06	6/1/2009
June 2009	Chlorine	Daily Conc	0.019	0.06	6/2/2009
June 2009	Chlorine	Daily Conc	0.019	0.06	6/3/2009
June 2009	Chlorine	Daily Conc	0.019	0.05	6/8/2009
June 2009	Ammonia	Weekly Conc	2.25	6.00	6/15/2009
June 2009	Ammonia	Weekly Qty	0.43	0.57	6/15/2009
June 2009	Chlorine	Daily Conc	0.019	0.05	6/17/2009
June 2009	Chlorine	Daily Conc	0.019	0.05	6/19/2009
June 2009	Chlorine	Daily Conc	0.019	0.08	6/22/2009
June 2009	Chlorine	Daily Conc	0.019	0.05	6/29/2009
June 2009	Chlorine	Daily Conc	0.019	0.05	6/30/2009

Monitoring / Frequency Violations						
Reporting Period		Parameter	Sample Frequency	Expected	Reported	Violation Date
May	2009	Flow	1/Day	1	0	05/01/2009
May	2009	Flow	1/Day	1	0	05/02/2009
May	2009	Flow	1/Day	1	0	05/03/2009
May	2009	Flow	1/Day	1	0	05/04/2009
May	2009	Flow	1/Day	1	0	05/05/2009
May	2009	Flow	1/Day	1	0	05/06/2009

Permit # : 1PW00016*DD
NPDES #: OH00071803

Monitoring / Frequency Violations (cont.)						
Reporting Period		Parameter	Sample Frequency	Expected	Reported	Violation Date
May	2009	Flow	1/Day	1	0	05/07/2009
May	2009	Flow	1/Day	1	0	05/08/2009
May	2009	Flow	1/Day	1	0	05/09/2009
May	2009	Flow	1/Day	1	0	05/10/2009
May	2009	Flow	1/Day	1	0	05/11/2009
May	2009	Flow	1/Day	1	0	05/12/2009
May	2009	Flow	1/Day	1	0	05/13/2009
May	2009	Flow	1/Day	1	0	05/14/2009
May	2009	Flow	1/Day	1	0	05/15/2009
May	2009	Flow	1/Day	1	0	05/16/2009
May	2009	Flow	1/Day	1	0	05/17/2009
May	2009	Flow	1/Day	1	0	05/18/2009
May	2009	Flow	1/Day	1	0	05/19/2009
May	2009	Flow	1/Day	1	0	05/20/2009
May	2009	Flow	1/Day	1	0	05/21/2009
May	2009	Flow	1/Day	1	0	05/22/2009
May	2009	Flow	1/Day	1	0	05/23/2009
May	2009	Flow	1/Day	1	0	05/24/2009
May	2009	Flow	1/Day	1	0	05/25/2009
May	2009	Flow	1/Day	1	0	05/26/2009
May	2009	Flow	1/Day	1	0	05/27/2009
May	2009	Flow	1/Day	1	0	05/28/2009
May	2009	Flow	1/Day	1	0	05/29/2009
May	2009	Flow	1/Day	1	0	05/30/2009
May	2009	Flow	1/Day	1	0	05/31/2009
June	2009	Flow	1/Day	1	0	06/01/2009
June	2009	Flow	1/Day	1	0	06/02/2009
June	2009	Flow	1/Day	1	0	06/03/2009
June	2009	Flow	1/Day	1	0	06/04/2009

OhioEPA

State of Ohio Environmental Protection Agency

Ohio NPDES Permit Transfer Form
Issued 01/07

National Pollutant Discharge Elimination System

Application for Transfer of Ohio NPDES Permit

Submit this application to the appropriate district office

District Offices
Northeast District • 2110 East Aurora Road • Twinsburg, Ohio • 44087
Northwest District • 347 North Dunbridge Road • Bowling Green, Ohio • 43402
Central District • P.O. Box 1049 • Columbus, Ohio • 43216-1049
Southeast District • 2195 Front Street • Logan, Ohio • 43138
Southwest District • 401 East 5th Street • Dayton, Ohio • 45402