State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

1PV0002320100317

HAMILTON WESTBROOK VILLAGE MHP OSIKA, MARY 2010/03/17

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

Printed on Recycled Paper

Ohio EPA is an Equal Opportunity Employer

Environmental Protection Agency

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

March 17, 2010

Certified Mail

Mr. Lanny Holbrook, President
Heritage Management Group, Inc.
1400 Fourth and Race Tower
105 West Fourth Street
Cincinnati, Ohio 45202

RE: Westbrook Village MHP and Compton Hills MHP
NOTICE OF VIOLATION

Dear Mr. Holbrook:

I have received no response to my letters sent to you dated February 3 and February 12, 2010 regarding Westbrook Village MHP. Failure to respond to the issues raised in these letters may be cause for enforcement action.

The Hamilton County Public Health department has forwarded to me a list of sewage complaints from the Compton Hills MHP located at 9109 Pippin Road. The following list of dates and complaints were noted to have a sewage discharge from manholes or broken pipes:

Date of Complaint	Complaint address	Nature of Complaint
July 1, 2008	9028, 9021 Brookside	Broken sewer, sewage surfacing
January 21, 2009	2801 Topview Place	Sewage overflowing manhole
May 28, 2009	9056, 9060 Brookside	Broken sewer line under home
August 3, 2009	2800 Topview Place	Sewage overflowing manhole
August 17, 2009	2818 Rocky Ridge	Sewage overflowing manhole
December 17, 2010	2817 Topview	Broken sewer, sewage on ground
January 26, 2010	2801 Topview	Sewage on ground

There appears to be a chronic problem with the sewers in this mobile home park. Measures must be taken to either clean, repair, or replace the problem sewers at this park. The discharge of untreated sewage to the ground or creek is a violation of Ohio's water pollution control regulations. The following regulations pertain to these violations:

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

The discharge of untreated wastewater is a violation of Ohio Revised Code section 6111.04:

ORC 6111.04 Water pollution and sludge management violations prohibited.

(A) Both of the following apply except as otherwise provided in division (A) or (F) of this section:

(1) No person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.

(2) Such an action prohibited under division (A)(1) of this section is hereby declared to be a public nuisance.

Please be aware that penalties may be assessed due to violation of ORC section 6111.04:

ORC 6111.99 Penalties.

(A) Whoever violates section 6111.04, 6111.042 , 6111.05, or division (A) of section 6111.07 of the Revised Code shall be fined not more than twenty-five thousand dollars or imprisoned not more than one year, or both.

Heritage Management is required to submit a written response addressing these violations. Your response should include what actions were taken to address the sewage problems listed, and what actions you intend to take to prevent further problems with the sewer system.

In addition, all future bypasses of raw sewage from your sewers including the sewer lateral connections or cleanouts must be reported to the Ohio EPA. These reports must include a phone call within 24 hours to either this office at (937) 285-6101 or our emergency hotline at (800) 282-9378. The telephone reports must also be reported in writing within 5 days of the event. The written reports must include the following information:

1. The times at which the discharge occurred and was discovered.
2. The approximate amount and the characteristics of the discharge.
3. The stream(s) affected by the discharge.
4. The circumstances which created the discharge.
5. The names and telephones of the persons who have knowledge of these circumstances.
6. The remedial steps that are being taken.
7. The names and telephone numbers of the persons responsible for such remedial steps.

Environmental Protection Agency

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

March 17, 2010 **Certified Mail**

Mr. Lanny Holbrook, President
Heritage Management Group, Inc.
1400 Fourth and Race Tower
105 West Fourth Street
Cincinnati, Ohio 45202

RE: Westbrook Village MHP and Compton Hills MHP
NOTICE OF VIOLATION

Dear Mr. Holbrook:

I have received no response to my letters sent to you dated February 3 and February 12, 2010 regarding Westbrook Village MHP. Failure to respond to the issues raised in these letters may be cause for enforcement action.

The Hamilton County Public Health department has forwarded to me a list of sewage complaints from the Compton Hills MHP located at 9109 Pippin Road. The following list of dates and complaints were noted to have a sewage discharge from manholes or broken pipes:

Date of Complaint	Complaint address	Nature of Complaint
July 1, 2008	9028, 9021 Brookside	Broken sewer, sewage surfacing
January 21, 2009	2801 Topview Place	Sewage overflowing manhole
May 28, 2009	9056, 9060 Brookside	Broken sewer line under home
August 3, 2009	2800 Topview Place	Sewage overflowing manhole
August 17, 2009	2818 Rocky Ridge	Sewage overflowing manhole
December 17, 2010	2817 Topview	Broken sewer, sewage on ground
January 26, 2010	2801 Topview	Sewage on ground

There appears to be a chronic problem with the sewers in this mobile home park. Measures must be taken to either clean, repair, or replace the problem sewers at this park. The discharge of untreated sewage to the ground or creek is a violation of Ohio's water pollution control regulations. The following regulations pertain to these violations:

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

Heritage Management must properly operate and maintain their sewage collection system. This would include periodically cleaning the sanitary sewers.

Please notify this office, in writing, by April 7, 2010 what actions are being proposed for addressing the sewer system problems in the complaint areas of the Compton Hills MHP. You are also requested to respond to the issues raised in my letters to you regarding the Westbrook Village MHP as soon as possible. Failure to respond to these issues may result in enforcement action.

If you have any questions concerning this letter, please call me at (937) 285 - 6101.

Sincerely,

Mary Osika
Environmental Specialist
Division of Surface Water

cc: Greg Cassiere, Hamilton County Public Health
Karen Taylor, Westbrook Village Mobile Home Park
Larry Hughes, Compton Hills Mobile Home Park