



**Environmental
Protection Agency**

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



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BUTLER

MIDDLETOWN WWTP

WARE, MAUREEN . 2008/04/07



State of Ohio Environmental Protection Agency

Southwest District Office

mmw File: Butler
Middletown
Sewerage

401 E. Fifth St.
Dayton, Ohio 45402

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

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Lee Fisher, Lieutenant Governor
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April 7, 2008

CERTIFIED MAIL

City of Middletown
1 Donham Plaza
Middletown, Ohio 45042

RE: Middletown Sludge Notice of Violation (NOV)

Ladies and Gentlemen:

The placement of the Middletown sludge stockpile located just east of 2769 Otterbein-Ithaca Rd. is in violation of Ohio Administrative Code 3745-40-04(R), which states "No person shall locate a staging area, stockpile area, or field storage of sewage sludge area in low-lying wet areas or on soils that are frequently flooded. Runoff shall be diverted around a stockpile area or field storage of sewage sludge area using straw bales or other appropriate means of control." During a site visit on April 2, 2008, I found that Middletown sludge had been stockpiled by Synagro in a low lying area approximately 300 feet from the pond at 2769 Otterbein-Ithaca Rd., as well as an unnamed tributary of the East Fork of the Whitewater River. While there was no rain the day I visited the site, there was water ponded on the upslope side of the sludge pile (which was acting as a dam), and no means of diverting the rainwater around the stockpile. There were orange/brown pools of leachate within the sludge pile that discharged to the upslope ponded area, and with another rain event, the ponded area would discharge to the farmers pond and/or waters of the State.

Within 21 days of the date of this Notice of Violation you must indicate in writing what you will do to mitigate the above noted violation. Please be advised that failure to address this violation may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

If you have any questions regarding this letter, please contact me at 937-285-6103.

Respectfully,

Maureen M. Ware
Division of Surface Water

cc: Darke County Health Dist.

