



**Environmental
Protection Agency**

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



1PV0009720090129

CLARK

BROOKSIDE VILLAGE MHP

LEIBFRITZ, SANDRA 2009/01/29



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

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

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

January 29, 2009

James Geyer, President
JGR Properties
P.O. Box 610
Oxford, OH 45056

CERTIFIED LETTER

**Re: Brookside Village MHP WWTP - NPDES Permit No. 1PV00097/OH0122742
Self Monitoring Report NOV
Non-Compliance Notification of Consent Order (case no. 200501 0211)**

Dear Mr. Geyer:

Ohio EPA has **not** received your self-monitoring reports covering the months of September 2007 through February 2008 and August 2008 through December 2008 in violation of Part III, Item 4 (Reporting) of Brookside Village MHP's NPDES permit (No. 1PV00097/OH0122742). Failure to submit these reports are subject to stipulated penalties in Section VII (No. 16) of your Consent Order. Immediately submit the required reports.

According to Order No. 6.e (Section V) in JGR Properties' Consent Order (case no. 200501 0211), you are required to submit an approvable sludge management plan for closure of the tertiary lagoon no later than December 1, 2007. Ohio EPA has **not** received your sludge management plan in non-compliance with Order No. 6.e (Section V) of your Consent Order (case no. 2005 01 0211). Failure to submit this plan is subject to stipulated penalties in Section VII (No. 13) of your Consent Order. Immediately submit this plan. Please be advised that failure to submit an approvable sludge management plan to Ohio EPA cannot be used as justification for noncompliance with the remaining time line in the Consent Order (e.g., Order No. 6.f – Complete closure of the tertiary lagoon no later January 15, 2009).

On October 3, 2007, Ohio EPA received a Permit-to-Install (PTI) application and detail plans for upgrades to Brookside Village MHP's wastewater treatment plant. On October 11, 2007, Ohio EPA sent you a technical letter requesting additional information. As of the date of this letter, Ohio EPA has not received a technical response. According to Order No. 6.a (Section V) in JGR Properties' Consent Order (case no. 2005 01 0211), you are required to submit an approvable PTI application and detail plans. Ohio EPA considers this application incomplete and not approvable as submitted in non-compliance with Order No. 6.a (Section V) of your Consent Order. Immediately submit an approvable response to Ohio EPA's comment letter dated October 11, 2007. Please be advised that failure to submit a timely response to Ohio EPA's letter cannot be used



Handwritten marks or characters in the top right corner.

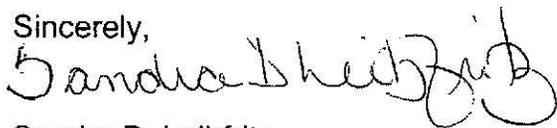
Mr. Geyer
Page 2

as justification for non-compliance with the remaining time line in the Consent Order (e.g., Order No. 6.b - Commence construction no later than February 15, 2008).

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

Please be advised that stipulated penalties, as per Section VII of your Consent Order, continue to occur daily for noncompliance with Brookside's Consent Order and for violations of Brookside's NPDES permit. If you have any questions, you may contact me at (937) 285-6104.

Sincerely,



Sandra D. Leibfritz
Compliance and Enforcement
Division of Surface Water

cc: Clark County Combined Health District
Andrea Salimbene, AAG via e-mail
Andrew Conway, DSW, CO via e-mail
Kevin Miller, Operator



2-1-1

4
2
2

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7007 0220 0001 2491 9312

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		
Sent To		
Street, Apt. No., or PO Box No.		
City, State, ZIP+4		

JAMES GEYER PRESIDENT
JGR PROPERTIES
P O BOX 610
OXFORD OH 45056

See Reverse for Instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

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

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

27EB 7642 1000 0220 2002

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we 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:

JAMES GEYER PRESIDENT
 JGR PROPERTIES
 P O BOX 610
 OXFORD OH 45056

2. Article Number

(service label)

71007 0220 0001 2491 9312

COMPLETE THIS SECTION ON DELIVERY

A. Signature

J. Geyer

Agent

Addressee

B. Received by (Printed Name)

J. Geyer

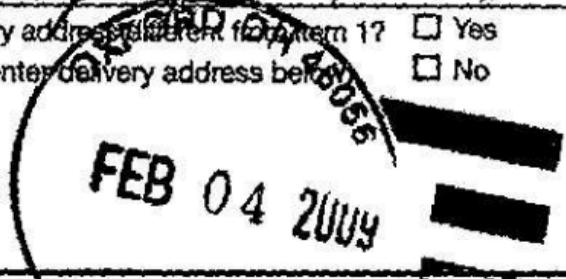
C. Date of Delivery

3-4-9

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below

No



3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

