



**Environmental
Protection Agency**

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

December 14, 2010

RLR Investments, LLC
Attn: Daniel Brake
600 Gillam Road
Wilmington, Ohio 45177

**Re: Roberts Commerce Park WWTP, Mt. Pleasant Road, Liberty Twp., Clinton Co.
Reconnaissance Inspection**

Dear Mr. Brake:

On Tuesday, November 30, 2010, I conducted a Reconnaissance Inspection of the wastewater treatment plant that serves the above referenced facility in Liberty Township, Clinton County (NPDES Permit No. 1PZ00113, OH0137634). Harry McVey, the contract operator for this facility, was present during the inspection. The purpose of this inspection was to evaluate plant operation and performance. A copy of the inspection report is enclosed.

All components of the treatment plant were operational, and the effluent appeared to be clear and free of solids. However, the following item was noted during my inspection:

- A record keeping log book that meets the authenticity criteria referenced in Ohio Administrative Code 3745-7-09 needs to be provided at the treatment plant.

Ohio Administrative Code 3745-7-09 requires that the owner and the operator of record of a wastewater treatment works maintain operation and maintenance records for the treatment works within the treatment works site. These records are to be housed and maintained in such a manner as to be protected from weather damage and to guarantee the authenticity and accuracy of the records (as required by Ohio Administrative Code 3745-7-09).

A record keeping log book that meets the authenticity criteria referenced in Ohio Administrative Code 3745-7-09 also needs to be provided for this treatment plant. Please notify the Ohio EPA Southwest District Office no later than January 14, 2011 as to how and when these requirements will be met.

In addition, the following items were noted during the compliance review that I performed prior to my inspection:

- The beginning paragraph in Part II of the current NPDES permit for this facility (1PZ00113*AD) implies that this facility is a Class II wastewater treatment works. Per Ohio Administrative Code 3745-7-04, this facility is a Class I wastewater treatment works due to its current design treatment flow (75,000 gpd).
- The current NPDES permit for this facility (1PZ00113*AD) requires that the effluent from this wastewater treatment facility be monitored for various parameters prior to entering the nearby storage pond. One of the required parameters is Total Inorganic Nitrogen (TIN). The concentration limit for TIN is 10 mg/l as a monthly average.

A review of the monitoring data for TIN for this facility over the past three years shows that this wastewater treatment facility has not consistently met this concentration limit for TIN, particularly during the winter months. In past correspondence on these violations for TIN, Harry McVey has stated that the plant's blowers are operated only fifty percent of the time in order to keep the TIN below 10 mg/l. However, during the cold weather months, the blowers have to be operated at all times to prevent freezing in the aerobic treatment tanks.

The concentration limit for TIN of 10 mg/l was placed in this facility's NPDES permit due to Ohio EPA's rule on land application systems (Ohio Administrative Code 3745-42-13). According to Table K-2 on page 30 of this rule, an alternative to having a concentration limit of 10 mg/l for TIN is to limit land application of treated wastewater to 12 inches or less per acre per year. A review of the monitoring data for this facility for the past three years shows that there have been no land application events for this facility over the past two years and that when land application events took place, the annual totals were less than 12 inches per acre per year.

Please be advised that the option is available to RLR Investments to request a modification of this facility's NPDES permit to incorporate these changes (i.e., re-classifying this treatment plant as a Class I facility and removing the concentration limit of 10 mg/l for TIN). An NPDES permit modification application and a \$200 application fee would need to be submitted to this office in order to process the permit modification. Web links to the necessary forms are listed below:

http://www.epa.state.oh.us/portals/35/permits/NPDESModForm_fis.pdf

http://www.epa.state.oh.us/portals/35/permits/NPDESMod_instructions.pdf

http://www.epa.state.oh.us/portals/35/eaq/antideq/revised_fis.pdf

If you have any questions regarding this letter or the attached report, please contact me at (937) 285 - 6098.

Sincerely,

Ron Ware

Ron Ware
Ohio EPA - Division of Surface Water
Southwest District Office

cc: Harry McVey, City of Wilmington
Clinton County Health District

RW/ca



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
1PZ00113*AD	OH0137634	11/30/2010	R	S	2

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
Roberts Commerce Park WWTP Mt. Pleasant Road Clinton County, Liberty Township	10:40 AM	6/1/2007
	Exit Time	Permit Expiration Date
	11:10 AM	5/31/2012
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Harry McVey, Operator of Record	(937) 302 - 0742	
Name(s), Address and Title(s) of Operator of Record	Phone Number(s)	
Harry McVey, Operator of Record	(937) 302 - 0742	
Name, Address and Title of Responsible Official	Phone Number	
RLR Investments, LLC Attn: Daniel Brake 600 Gillam Road Wilmington, Ohio 45177	((937) 382 - 1494	

Ohio EPA Inspector	
<i>Ron Ware</i> 12/14/10	
Ron Ware Date Division of Surface Water Southwest District Office	

Average Daily Design Flow:	75,000 Gallons/Day
Plant Serves:	Properties owned by RLR Investments, LLC at the I - 71& U.S. Route 68 interchange
Average Daily Flow into effluent storage pond: (Period of Review):	34,538 Gallons/Day (July 2009 thru October 2010)
Method of flow monitoring:	Magmeter
Type of alarms for plant:	None

Pretreatment

Type of Pretreatment: **Trash Trap**
 Does the Trash Trap need pumped: **Unknown**
 Maintenance of pretreatment components appears to be: **Good**

Comments/Status:

**Secondary Treatment
(Aeration)**

Color of sludge: **Medium Brown**
 Quality of Sludge: **Medium**
 Foam: **Light (white)**
 Odor: **No objectionable odor present**

	Yes	No		Yes	No
Aeration is taking place	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plant is septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Blowers are operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Blowers are on a timer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Skimmers are operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plant is flooded	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diffusers are operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Grating is present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sludge return is operating	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

Maintenance of aerating equipment appears to be: **Good**

Comments/Status:

**Secondary Treatment
(Settling)**

Clarity: **Clear**
 Condition of Weir: **Clean**
 Weir is level: **Yes**
 Effluent in weir: **Clear**

Overall maintenance of settling components appears to be: **Fair**

Comments/Status:

There were some broken sludge return "elbows" on the "clarator" units that need to be replaced.

Tertiary Treatment

	Yes	No		Yes	No
Surface sand Filters:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subsurface	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Beds alternated	<input type="checkbox"/>	<input type="checkbox"/>
Are filters ponding/flooding	<input type="checkbox"/>	<input type="checkbox"/>	Beds raked	<input type="checkbox"/>	<input type="checkbox"/>
Sand filters overgrown	<input type="checkbox"/>	<input type="checkbox"/>	Chlorination present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
UV present	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dechlorination present	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Overall maintenance of components appears to be: **Good**

Comments/Status:

Sludge Handling/Storage Disposal

Hauler name: **Unknown**
 Sludge wasted from: **Sludge return line**
 Sludge drying beds: **No** Sludge holding tanks: **Yes**

Overall maintenance of components appears to be: **Good**

Comments/Status:

Plant Discharge

Treatment plant discharges to: effluent storage pond next to the treatment plant
Controlled discharge point: Anderson Fork near crossing under U.S. Route 68
Last controlled discharge event: June 14 through June 17, 2010
Last spray irrigation event: November 12, 2008

Comments/Status:

Inspection Findings

NPDES PERMIT LIMIT VIOLATIONS
(Period of Review: July 2009 – October 2010)

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
January 2010	602	Total Inorganic Nitrogen	30D Conc	10 mg/l	25.1 mg/l	1/1/2010
Feb. 2010	602	Total Inorganic Nitrogen	30D Conc	10 mg/l	23.8 mg/l	2/1/2010
March 2010	602	Total Inorganic Nitrogen	30D Conc	10 mg/l	23.8 mg/l	3/1/2010
July 2010	602	E. coli	1D Conc	2 #/100 ml	66 #/100 ml	7/6/2010

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.

Operator of Record Requirements

Ohio Administrative Code 3745-7-09 requires that the owner and the operator of record of a wastewater treatment works maintain operation and maintenance records for the treatment works within the treatment works site. These records are to be housed and maintained in such a manner as to be protected from weather damage and to guarantee the authenticity and accuracy of the records. For the treatment plant serving the Roberts Commerce Park WWTP, a record keeping log book is currently not being provided at the treatment plant site.

A record keeping log book that meets the authenticity criteria referenced in Ohio Administrative Code 3745-7-09 needs to be provided at the treatment plant serving the Roberts Commerce Park WWTP. Please notify the Ohio EPA Southwest District Office no later than January 14, 2011 as to how and when this requirement will be met.