



State of Ohio Environmental Protection Agency

Southwest District Office

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www.epa.state.oh.usTed Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

March 10, 2008

Mr. Larry Zusman
Brookville Lake Estates MHP
5045 North Main Street, Suite 250
Dayton, Ohio 45415

Re: Montgomery County, Brookville Lake Estates MHP, NPDES Permit Violations

Dear Mr. Zusman:

We have reviewed your Monthly Operating Reports covering the months of January 2006 through January 2008 for the referenced facility. Our review indicates violations of the conditions of your NPDES Permit (NPDES Permit # OH0040631; OEPA Permit # 1PV00035*ED and 1PV00035*FD). The specific instances of noncompliance were as follows:

Effluent Limit Violations for January 2006 through January 2008					
Reporting Period	Parameter	Limit Type	Units	Permit Limit	Reported Value
April 2006	CBOD5	Monthly	mg/l	10	12.3
April 2006	CBOD5	Monthly	kg/day	0.79	0.84
April 2006	DO	Daily	mg/l	5.0	4.9
May 2006	Ammonia	Monthly	mg/l	2.0	3.8
May 2006	Ammonia	Monthly	kg/day	0.16	0.27
May 2006	TSS	Monthly	mg/l	12	27
May 2006	TSS	Monthly	kg/day	0.95	1.9
May 2006	Ammonia	Weekly	mg/l	3.0	3.8
May 2006	Ammonia	Weekly	kg/day	0.24	0.27
May 2006	TSS	Weekly	mg/l	18	27
May 2006	TSS	Weekly	kg/day	1.43	1.9
June 2006	Ammonia	Monthly	mg/l	2.0	10
June 2006	Ammonia	Monthly	kg/day	0.16	0.72
June 2006	Ammonia	Weekly	mg/l	3.0	10
June 2006	Ammonia	Weekly	kg/day	0.24	0.72
June 2006	TSS	Monthly	mg/l	12	41
June 2006	TSS	Monthly	kg/day	0.95	2.9
June 2006	TSS	Weekly	mg/l	18	41

Effluent Limit Violations for January 2006 through January 2008					
Reporting Period	Parameter	Limit Type	Units	Permit Limit	Reported Value
June 2006	TSS	Weekly	kg/day	1.43	2.9
October 2006	Ammonia	Monthly	mg/l	2.0	3.7
October 2006	Ammonia	Monthly	kg/day	0.16	0.28
October 2006	Ammonia	Weekly	mg/l	3.0	3.7
October 2006	Ammonia	Weekly	kg/day	0.24	0.28
October 2006	DO	Daily	mg/l	5.0	1.7
November 2006	CBOD5	Monthly	mg/l	10	20
November 2006	CBOD5	Monthly	kg/day	0.79	1.8
November 2006	CBOD5	Weekly	mg/l	15	20
November 2006	CBOD5	Weekly	kg/day	1.19	1.8
November 2006	DO	Daily	mg/l	5.0	2.4
November 2006	TSS	Monthly	mg/l	12	41
November 2006	TSS	Monthly	kg/day	0.95	3.6
November 2006	TSS	Weekly	mg/l	18	41
November 2006	TSS	Weekly	kg/day	1.43	3.6
November 2006	DO	Daily	mg/l	5.0	3.1
November 2006	DO	Daily	mg/l	5.0	3.6
November 2006	DO	Daily	mg/l	5.0	4.7
December 2006	CBOD5	Monthly	mg/l	10	37
December 2006	CBOD5	Monthly	kg/day	0.79	3.1
December 2006	CBOD5	Weekly	mg/l	15	37
December 2006	CBOD5	Weekly	kg/day	1.19	3.1
December 2006	TSS	Monthly	mg/l	12	62
December 2006	TSS	Monthly	kg/day	0.95	5.3
December 2006	TSS	Weekly	mg/l	18	62
December 2006	TSS	Weekly	kg/day	1.43	5.3
December 2006	DO	Daily	mg/l	5.0	3.7
December 2006	DO	Daily	mg/l	5.0	4.2
January 2007	CBOD5	Monthly	kg/day	0.79	0.82
January 2007	TSS	Monthly	mg/l	12	26
January 2007	TSS	Monthly	kg/day	0.95	3.0
January 2007	TSS	Weekly	mg/l	18	26
January 2007	TSS	Weekly	kg/day	1.43	3.0
February 2007	CBOD5	Monthly	mg/l	10	11
February 2007	CBOD5	Monthly	kg/day	0.79	0.91
February 2007	TSS	Monthly	mg/l	12	26
February 2007	TSS	Monthly	kg/day	0.95	2.2
February 2007	DO	Daily	mg/l	5.0	4.9

Effluent Limit Violations for January 2006 through January 2008					
Reporting Period	Parameter	Limit Type	Units	Permit Limit	Reported Value
February 2007	TSS	Weekly	mg/l	18	26
February 2007	TSS	Weekly	kg/day	1.43	2.2
March 2007	CBOD5	Monthly	mg/l	10	11
March 2007	CBOD5	Monthly	kg/day	0.79	0.80
March 2007	TSS	Monthly	mg/l	12	24
March 2007	TSS	Monthly	kg/day	0.95	1.7
March 2007	TSS	Weekly	mg/l	18	24
March 2007	TSS	Weekly	kg/day	1.43	1.7
March 2007	DO	Daily	mg/l	5.0	3.7
March 2007	DO	Daily	mg/l	5.0	4.8
April 2007	CBOD5	Monthly	mg/l	10	19
April 2007	CBOD5	Monthly	kg/day	0.79	1.4
April 2007	CBOD5	Weekly	mg/l	15	19
April 2007	CBOD5	Weekly	kg/day	1.19	1.4
April 2007	TSS	Monthly	mg/l	12	58
April 2007	TSS	Monthly	kg/day	0.95	4.4
April 2007	TSS	Weekly	mg/l	18	58
April 2007	TSS	Weekly	kg/day	1.43	4.4
May 2007	CBOD5	Monthly	mg/l	10	19
May 2007	Ammonia	Monthly	mg/l	2.0	15
May 2007	Ammonia	Monthly	kg/day	0.16	0.61
May 2007	TSS	Monthly	mg/l	12	31
May 2007	TSS	Monthly	kg/day	0.95	1.2
May 2007	DO	Daily	mg/l	5.0	0.9
May 2007	CBOD5	Weekly	mg/l	15	19
May 2007	Ammonia	Weekly	mg/l	3.0	15
May 2007	Ammonia	Weekly	kg/day	0.24	0.61
May 2007	TSS	Weekly	mg/l	18	31
May 2007	DO	Daily	mg/l	5.0	2.3
June 2007	Fecal Coliform	Monthly	#/100ml	1000	1600
June 2007	Ammonia	Monthly	mg/l	2.0	25
June 2007	Ammonia	Monthly	kg/day	0.16	0.42
June 2007	Ammonia	Weekly	mg/l	3.0	25
June 2007	Ammonia	Weekly	kg/day	0.24	0.42
June 2007	DO	Daily	mg/l	5.0	4.0
July 2007	Ammonia	Monthly	mg/l	2.0	4.1
July 2007	Ammonia	Monthly	kg/day	0.16	0.21
July 2007	TSS	Monthly	mg/l	12	20

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Effluent Limit Violations for January 2006 through January 2008					
Reporting Period	Parameter	Limit Type	Units	Permit Limit	Reported Value
July 2007	TSS	Monthly	kg/day	0.95	1.0
July 2007	DO	Daily	mg/l	5.0	4.0
July 2007	Ammonia	Weekly	mg/l	3.0	4.1
July 2007	TSS	Weekly	mg/l	18	20
July 2007	DO	Daily	mg/l	5.0	4.2
August 2007	TSS	Monthly	mg/l	12	13
August 2007	DO	Daily	mg/l	5.0	2.6
January 2008	CBOD5	Monthly	mg/l	10	12
January 2008	CBOD5	Monthly	kg/day	0.79	1.3
January 2008	CBOD5	Weekly	kg/day	1.19	1.3

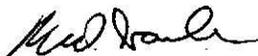
Please be advised that failure to comply with the effluent limitations of your NPDES Permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

Montgomery County will be constructing a sanitary sewer in your area later this year. The Ohio EPA understands that the Brookville Lake Estates MHP is planning on connecting to this sanitary sewer. In the event this project does not proceed, the Brookville Lake Estates MHP will need to upgrade their current WWTP to comply with the NPDES Permit.

We have reviewed your reports addressing the reasons for the above violations and the actions being taken to prevent further occurrences. No additional information is requested at this time. Future violations must continue to be reported as required by the NPDES Permit as detailed in Part III.12 titled "Noncompliance Notification."

If you have any questions regarding the above, please contact me at (937) 285-6096.

Sincerely,



Ned Sarle
Division of Surface Water
Permit Section

cc: Bob Gomez, Winelco, Inc.