



State of Ohio Environmental Protection Agency

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MONTGOME NEW LEBANON STP

OSTENDORF, ROBE 2011/06/14

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

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**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

June 14, 2011

Mr. George Markus  
Municipal Manager  
Municipality of New Lebanon  
198 South Clayton Road  
New Lebanon, Ohio 45345

Re: Montgomery County, Municipality of New Lebanon, NPDES Permit Violations

Dear Mr. Markus:

The Ohio EPA has completed a compliance evaluation of the Monthly Operating Reports covering the months of January 2010 through April 2011 for the Municipality of New Lebanon. The evaluation indicates violations of the conditions of your NPDES Permit (NPDES Permit # OH0026697; OEPA Permit # 1PB00021\*ID). The specific instances of noncompliance are as follows:

Effluent violations of Part III, Item 11 of permit 1PB00021*ID			
Bypass Events			
Date(s)	Duration	Treatment Unit(s) Bypassed	Reason Cited
2/22/11 – 2/23/11	Unknown	Secondary Clarification	Excessive flow and clogged gate valve.
3/5/11 – 3/6/11	13 hrs	WWTP	Excessive flow due to rain event.
4/19/11 – 4/20/11	12.5 hrs	WWTP	Excessive flow due to rain event.

We have reviewed your report addressing the reasons for the above violations and the actions being taken to prevent further occurrences. The information provided for the incident which occurred in February is adequate and additional information is not required at this time.

The report addressing the March and April incidents state that the storage lagoon will be emptied to restore storage capacity. Please inform this office as to when this will occur. The bypass of treatment is a violation of Part III Item 11 of permit 1PB00021\*ID. If it is determined that the storage lagoon capacity is being reduced due to excessive solids within the storage lagoon this may be a violation of Part III, Item F.

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

If you have any questions or concerns regarding this matter please feel free to contact me at (937) 285-6107 or via email at [Robert.Ostendorf@epa.state.oh.us](mailto:Robert.Ostendorf@epa.state.oh.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Ostendorf Jr.", with a stylized flourish at the end.

Bob Ostendorf Jr.  
Division of Surface Water  
Permit Section