



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

February 25, 2010

RE: BREWSTER WWTP
3PB00006*HD
STARK COUNTY

NOTICE OF VIOLATION

Mayor and Council
Village of Brewster
302 South Wabash
Brewster, OH 44613

Dear Mayor and Council:

This office has reviewed the Discharge Monitoring Report (DMR) data from July 1, 2008 to February 1, 2010. The following NPDES permit limit violations were noted:

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
July 2008	Phosphorus, Total (P)	30D Conc	1.0	1.0555	7/1/2008
July 2008	Phosphorus, Total (P)	7D Conc	1.5	1.55	7/15/2008
August 2008	Phosphorus, Total (P)	30D Conc	1.0	1.36	8/1/2008
June 2009	Phosphorus, Total (P)	30D Conc	1.0	1.18	6/1/2009
July 2009	Chlorine, Total Residual	1D Conc	0.038	.36	7/29/2009
SEPTEMBER 2009	PHOSPHORUS, TOTAL (P)	30D CONC	1.0	1.36	9/1/2009
SEPTEMBER 2009	PHOSPHORUS, TOTAL (P)	30D QTY	2.5	2.87236	9/1/2009
November 2009	Phosphorus, Total (P)	30D Conc	1.0	1.52	11/1/2009
November 2009	Phosphorus, Total (P)	7D Conc	1.5	1.52	11/8/2009

The July 2009 residual chlorine value appears to be a typo; please confirm. Part III.12 of the NPDES permit discusses noncompliance notification requirements. It appears that the Village did not file the reports discussed in item 12.C.; however, Dean Stoll has stated that Village personnel consistently and quickly verbally informed him of violations and actions taken to identify and correct them.

The review of the total phosphorus data for the entire period indicates that the wastewater treatment plant (WWTP) cannot consistently meet the phosphorus permit limit. Additionally, the data shows that the WWTP is adequately removing phosphorus at some times, but not at others. This may be due to influent phosphorus concentrations rather than WWTP operations. We recommend that WWTP personnel sample the influent in conjunction with the effluent to evaluate this.

The eDMR phosphorus data frequently is reported to three decimal places, and the lowest reported value is 0.06 mg/l. Ohio EPA guidance shows the practical quantification level ("detection limit") for total phosphorus at 0.05 mg/l. However, it has been our experience that detection limits lower than 0.5 mg/l are rarely obtained in wastewater, and that total phosphorus results generally are not accurate to three decimal places. The Village should verify that the proper method protocols, including proper use of significant digits, is being used for total phosphorus determinations.

The following frequency violations were also noted:

Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
July 2008	001	Fecal Coliform	2/Week	2	1	07/01/2008
August 2008	001	Fecal Coliform	2/Week	2	1	08/15/2008
November 2008	001	CBOD 5 day	2/Week	2	1	11/22/2008
November 2008	001	Nitrogen, Ammonia (NH3)	2/Week	2	1	11/22/2008
November 2008	001	Total Suspended Solids	2/Week	2	1	11/22/2008
December 2008	001	CBOD 5 day	2/Week	2	1	12/22/2008
December 2008	001	Nitrogen, Ammonia (NH3)	2/Week	2	1	12/22/2008
December 2008	001	Total Suspended Solids	2/Week	2	1	12/22/2008
April 2009	001	CBOD 5 day	2/Week	2	1	04/08/2009
April 2009	001	Nitrogen, Ammonia (NH3)	2/Week	2	1	04/08/2009
April 2009	001	Total Suspended Solids	2/Week	2	1	04/08/2009
November 2008	601	CBOD 5 day	2/Week	2	1	11/22/2008
November 2008	601	Total Suspended Solids	2/Week	2	1	11/22/2008
December 2008	601	CBOD 5 day	2/Week	2	1	12/22/2008
December 2008	601	Total Suspended Solids	2/Week	2	1	12/22/2008
April 2009	601	CBOD 5 day	2/Week	2	1	04/08/2009
April 2009	601	Total Suspended Solids	2/Week	2	1	04/08/2009

Part III.1, Definitions of the NPDES permit defines calendar weeks as day 1-7, day 8-14, day 15-21, and day 22-28, with the option to change week 4 to include days 29-31. Most frequency violations occur because sample collection does not reflect this definition. In July 2008, August 2008, December 2008, and April 2009, there were an appropriate total number of samples in the month, but the monitoring did not conform to the definition of weekly. In November 2008, the total number of samples was lower than appropriate. The Village should adjust their sampling schedule to conform to regulatory definitions whenever possible.

Please note that violations of the NPDES permit are subject to enforcement pursuant to the Ohio Revised Code Chapter 6111. If you have any questions or comments, please contact me at (330) 963-1285. I can also be reached via e-mail at donna.kniss@epa.state.oh.us.

Sincerely,



Donna J. Kniss
Environmental Engineer
Division of Surface Water

DJK/mt

cc: Steve Hartman, Village Administrator
Michael Maybaugh, WWTP Superintendent

File: Municipal/Permit-Compliance