

SIGNATURE REQUIRED

State of Ohio Environmental Protection Agency

12/28/2010

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Central District Office

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Certified Mail #91 7108 2133 3932 4449 3169

December 8, 2010

Mark Anthony
Marlin Trace Investments II
15111 State route 664 South
Logan, OH 43138

Dear Mr. Anthony:

Attached is a report regarding a Reconnaissance Inspection that Cole Miller and I from this office performed November 5, 2010, at the wastewater treatment plant (WWTP) serving the Marlin Trace Investments II Mobile Home Village (Hillview MHV) in Fairfield County. At the time of this inspection this WWTP was rated unacceptable.

This report also serves as a Notice of Violation for failure to comply with numerous conditions contained in the now expired wastewater discharge permit for this MHV. The wastewater discharge permit expiration date was June 30, 2010, and a permit renewal application has not been submitted to this office as required. Wastewater discharge without a permit is in violation of Ohio Revised Code 6111.04.

At the time of this inspection the WWTP aeration blower motor was functioning but no aeration activity was noticeable in the aeration tank. Wastewater within both the aeration and clarifier was discolored dark gray and was very odorous which indicates inadequate wastewater treatment. Inadequately treated wastewater was being discharged from the WWTP onto the ground. This wastewater then flows down a vegetated slope approximately 150 feet towards an unnamed tributary of the Hocking River.

At the time of a March 15, 2010, site visit at this MHV, untreated wastewater was overflowing from the sanitary sewer collection system onto the hillside near the WWTP. Several photographs of the discharge are included in this report. On March 16, 2010, I called your cell phone number advising you of the problem which you indicated you would resolve. On March 19, 2010, I again visited the MHV only to see that the problem had not yet been resolved. Untreated/inadequately treated wastewater discharge endangers the public and is in violation of terms and conditions contained in your wastewater discharge permit.

Later on March 16, 2010, I again called your cell phone number asking that you return my call to confirm your attendance at a meeting regarding your MHV scheduled on March 29, 2010, in this office. There is no record in this office that you returned my call nor did you attend the scheduled meeting.

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

The wastewater discharge permit compliance schedule required that the WWTP be improved. Improvements did not occur even though a Permit to Install (PTI) for those improvements was issued by Ohio EPA on June 13, 2008. That PTI expired December 13, 2009.

Other attempts to communicate with you have failed. Inspection reports dated August 27, 2009, and October 14, 2008, were sent to you and were returned to this office as unclaimed mail. In addition, there has been no response from you to voice mail messages left on your cell phone.

Due to your failure to resolve chronic wastewater discharge permit noncompliance and to communicate with this office you have left this office no choice other than to proceed with enforcement action in response to violations. Continued wastewater discharge permit noncompliance is unacceptable. This office will discuss with the Fairfield Department of Health the possibility of not renewing the 2011 operating license for the Hillview MHV.

Please inform me, in writing by December 20, 2010, as to the reason(s) for violations referenced in this report, as well as a description of action taken or proposed to prevent any further violations. Your response should include dates, either actual or proposed, for completion of the action.

If you have questions or wish to meet for further discussion of this matter I can be reached by telephone at 614-728-3850 or by e-mail at jan.rice@epa.state.oh.us.

Sincerely,



Jan A. Rice
Environmental Specialist
Enforcement/Compliance Group
Division of Surface Water
Ohio EPA/Central District Office

c: Larry Hannah, Fairfield County Health Department

**NPDES
Compliance Inspection Report**

A. NATIONAL DATA SYSTEM CODING

Permit No. 4PV00120*BD	NPDES No. OH0136280	Date 11/5/10	Inspection Type R	Inspector S	Facility Type 2
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B. FACILITY DATA

Name and Location of Facility Inspected Marlin Trace Investment II dba Hillview Mobile Home Village 3424 B.I.S. Road, Lancaster, Ohio 43130	Entry Time 11:00 A.M.	Permit Effective Date 7/1/05
	Exit Time 11:20 A.M.	Permit Expiration Date 6/30/10

Name(s) and Title(s) of On-Site Representative(s)	Phone Number(s)
Unannounced site visit. No on-site representative contacted.	
Name(s) Address and Title(s) of Operator of Record	Phone Number(s)
Operator of Record unknown	
Name, Address and Title of Responsible Official	Phone Number
Mark Anthony, 15111 SR 664 S, Logan, Ohio Owner	(cell) 740-974-6265

C. AREAS EVALUATED DURING INSPECTION (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

- U Permit – this office has no record of receiving a wastewater discharge permit renewal application for this wastewater treatment plant (WWTP). The permit expired 6/30/10. Wastewater discharge without a permit is in violation of Ohio Revised Code 6111.04.
- N/U Records/Reports - monthly discharge monitoring reports (DMR) have not been submitted since 2/29/08.
- U Operations & Maintenance - the permit requires that the WWTP be under supervision of a Class 1 state certified operator. There is no record in this office that a certified operator is overseeing this WWTP.
- U Facility Site Review – plant improvements did not occur even though a Permit to Install (PTI) for those improvements was issued by Ohio EPA on 6/13/08. The PTI expired 12/13/09. At the time of this inspection the WWTP blower motor was functioning and providing power to the blower but no aeration was noticed in the aeration tank. Photographs of the WWTP aeration and clarifier tanks are included in this report. Wastewater in both tanks was discolored dark gray and was very odorous which indicates inadequate wastewater treatment. Wastewater was being discharged directly onto the ground at the outlet end of the WWTP. Wastewater then flows down a vegetated slope approximately 150 feet towards an unnamed tributary of the Hocking River.
- N Collection System
- N Flow Measurement
- N Laboratory
- U/N Effluent/Receiving Waters - effluent limitation violations are listed in Attachment "A", Table 1 of this report.
- N/N Sludge Storage/Disposal
- N Pretreatment
- U Compliance Schedules – the permittee failed to initiate construction; failed to achieve final effluent limitation compliance; failed to submit a permit renewal application; failed to submit annual sludge reports and failed to install an outfall marker sign as required by the permit.
- U Self-Monitoring Program - monthly discharge monitoring reports have not been submitted since 2/29/08.



Attachment "A"

Hillview MHV
 Effluent limitation violations
 7/1/06 - 9/30/10

(Note: the NPDES permit was transferred to Mr. Anthony the MHV owner on 7/1/06. During the 7/1/06 - 10/31/10 period of time, the last DMR submitted was 2/08. If DMR submittal had continued there would likely have been additional violations since the WWTP upgrade did not occur).

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
4PV00120*AD	August 2007	001	00530	Total Suspended Solids	30D Conc	12	42.	8/1/2007
4PV00120*AD	August 2007	001	00530	Total Suspended Solids	30D Qty	0.09	.87879	8/1/2007
4PV00120*AD	August 2007	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.01	.01465	8/1/2007
4PV00120*AD	August 2007	001	31616	Fecal Coliform	30D Conc	1000	10000.	8/1/2007
4PV00120*AD	August 2007	001	80082	CBOD 5 day	30D Conc	10	20.	8/1/2007
4PV00120*AD	August 2007	001	80082	CBOD 5 day	30D Qty	0.08	.41847	8/1/2007
4PV00120*AD	August 2007	001	00300	Dissolved Oxygen	1D Conc	6.0	5.8	8/31/2007
4PV00120*AD	December 2007	001	00530	Total Suspended Solids	30D Conc	12	86.	12/1/2007
4PV00120*AD	December 2007	001	00530	Total Suspended Solids	30D Qty	0.09	.90329	12/1/2007
4PV00120*AD	December 2007	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	25.9	12/1/2007
4PV00120*AD	December 2007	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.02	.27204	12/1/2007
4PV00120*AD	December 2007	001	80082	CBOD 5 day	30D Conc	10	46.	12/1/2007
4PV00120*AD	December 2007	001	80082	CBOD 5 day	30D Qty	0.08	.48316	12/1/2007
4PV00120*AD	December 2007	001	00300	Dissolved Oxygen	1D Conc	6.0	5.8	12/5/2007
4PV00120*AD	December 2007	001	00300	Dissolved Oxygen	1D Conc	6.0	5.4	12/12/2007
4PV00120*AD	December 2007	001	00300	Dissolved Oxygen	1D Conc	6.0	5.4	12/20/2007
4PV00120*AD	December 2007	001	00530	Total Suspended Solids	7D Conc	18	86.	12/22/2007
4PV00120*AD	December 2007	001	00530	Total Suspended Solids	7D Qty	0.14	.90329	12/22/2007
4PV00120*AD	December 2007	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	25.9	12/22/2007
4PV00120*AD	December 2007	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.03	.27204	12/22/2007
4PV00120*AD	December 2007	001	80082	CBOD 5 day	7D Conc	15	46.	12/22/2007
4PV00120*AD	December 2007	001	80082	CBOD 5 day	7D Qty	0.11	.48316	12/22/2007
4PV00120*AD	December 2007	001	00300	Dissolved Oxygen	1D Conc	6.0	5.2	12/27/2007

Table 1

Attachment "A"

Hillview MHV
Compliance Schedule Violations

Facility	Permit Effective Date	Permit Expiration Date	Schedule Due Date	Completion Date	Event Code	Schedule Type	Schedule Milestone
Marlin Trace Investments II	1/1/2009	6/30/2010	7/1/2009	Incomplete	3099	Construction	Begin Construction
Marlin Trace Investments II	1/1/2009	6/30/2010	1/1/2010	Incomplete	5699	Construction	Final Compliance w/ Eff Limits

Table 2

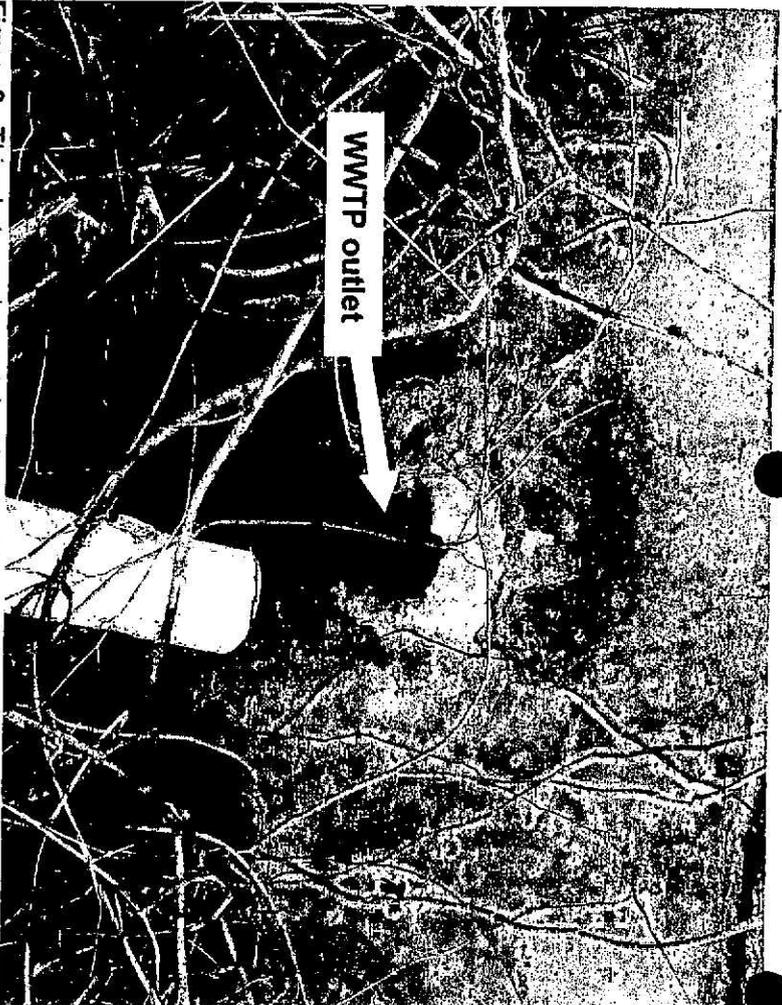


Figure 3 - This photograph was taken by Jan Rice on 3/15/10 of the outlet from the Hillview MHV WWTP. Wastewater flows from the WWTP onto the ground uphill from an unnamed tributary of the Hocking River.

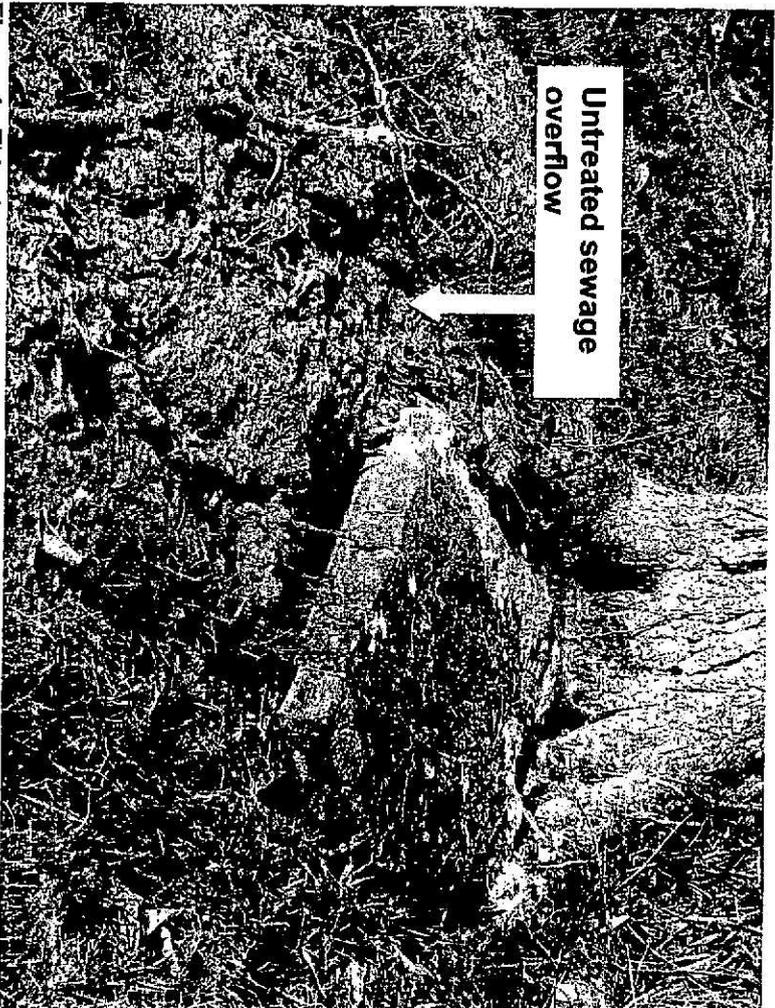


Figure 4 - This photograph was taken by Jan Rice on 3/19/10 and shows that the sewage overflow problem had not yet been resolved.



Figure 1 - This photograph was taken by Jan Rice on 3/15/10 of an untreated sewage overflow at the Hillview MHW.

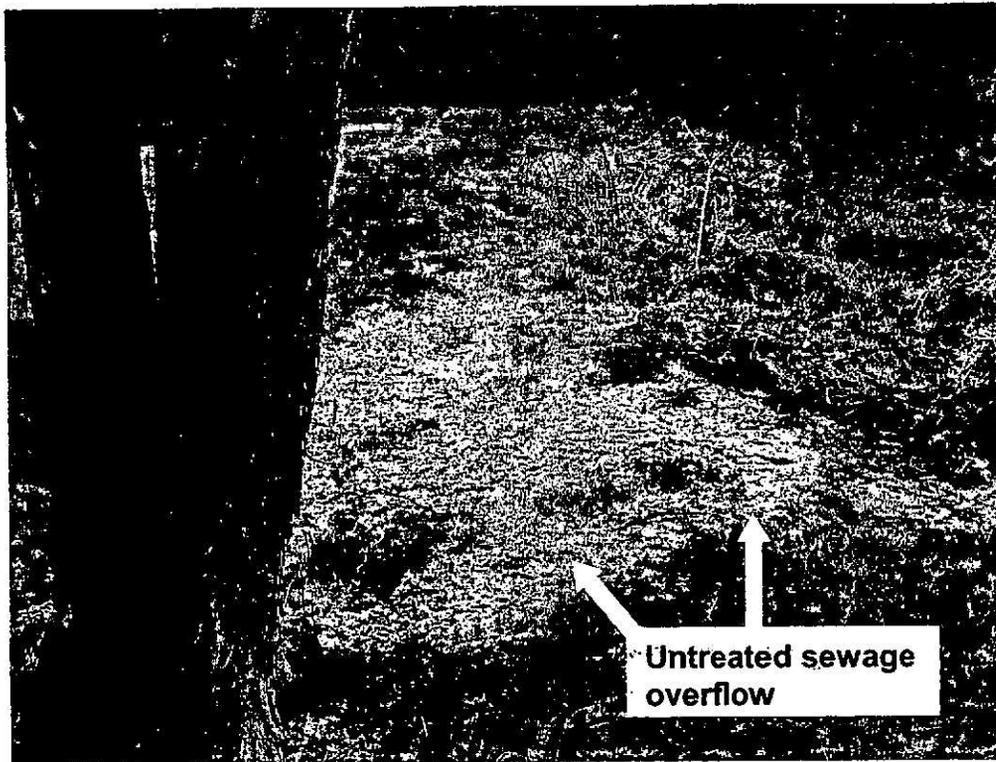


Figure 2 - This photograph was taken by Jan Rice on 3/15/10 showing another view of the untreated sewage overflow at the Hillview MHW.

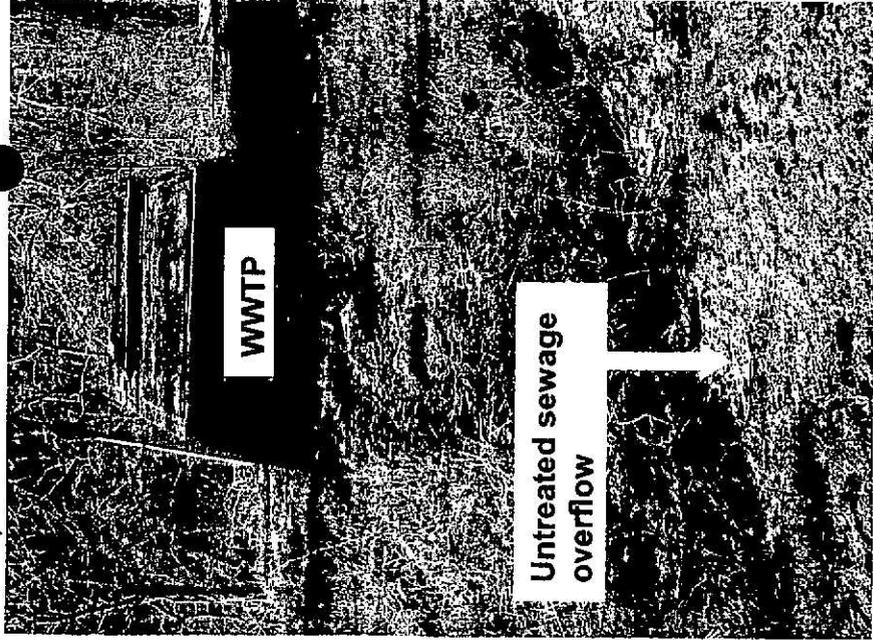


Figure 5 - This photograph was taken by Jan Rice on 3/19/10 showing proximity of the sewage overflow to the Hillview MHV WWTP.

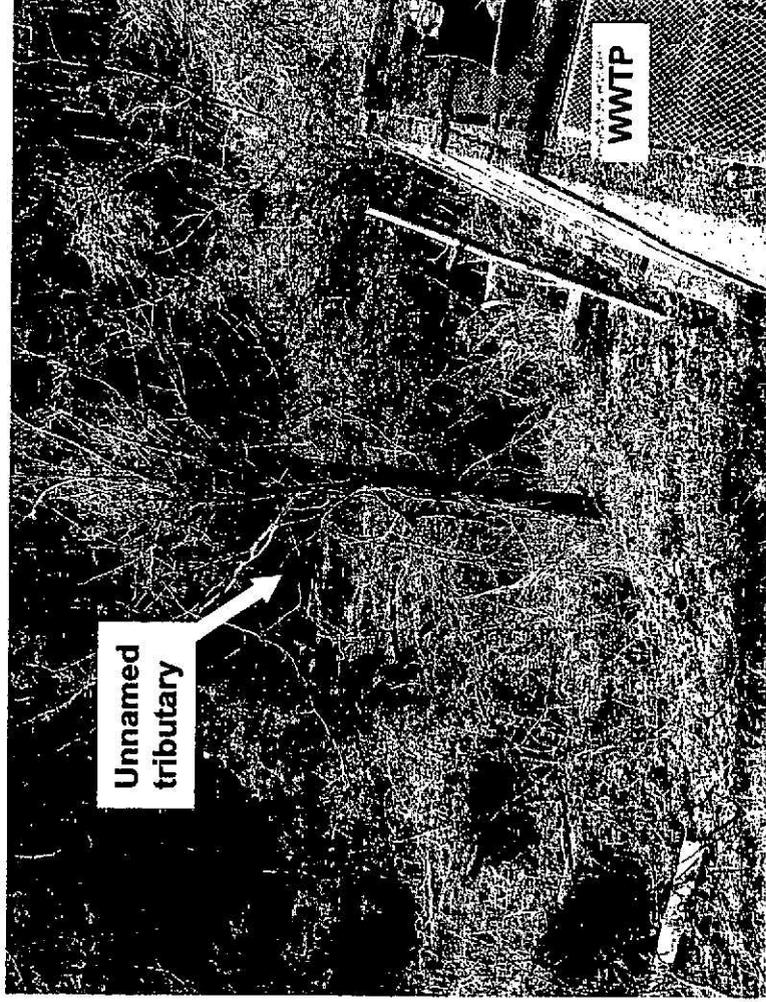


Figure 6 - This photograph was taken by Jan Rice on 3/19/10 looking downhill, past the Hillview MHV WWTP towards the unnamed tributary.

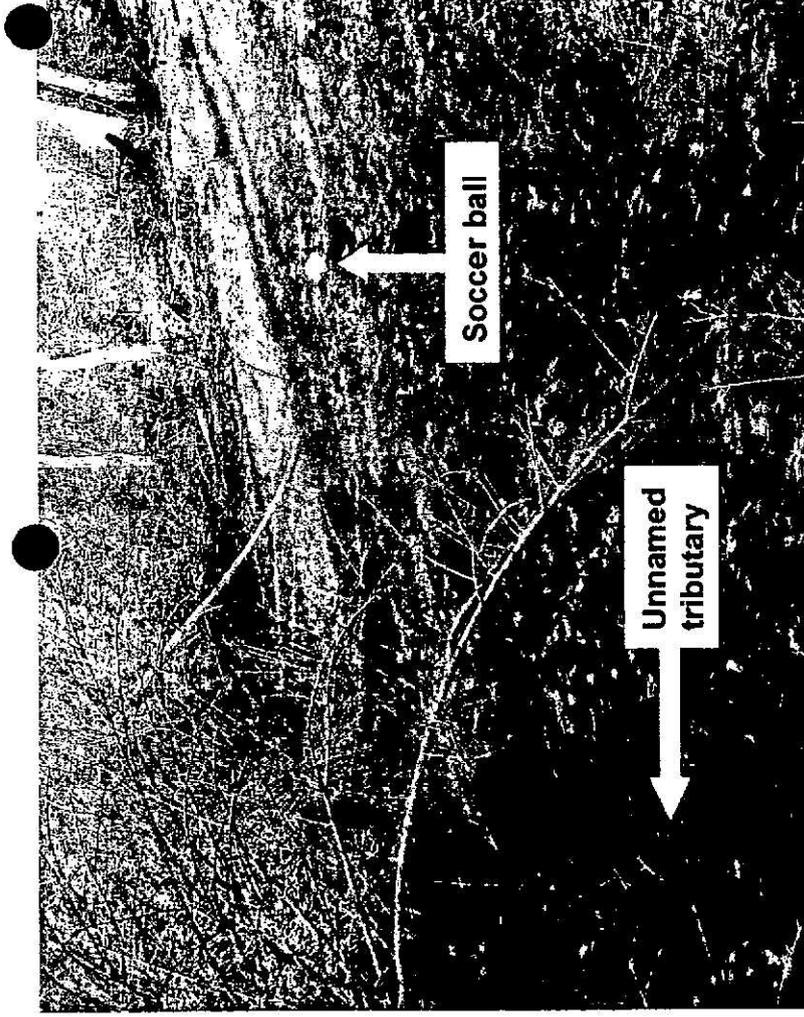


Figure 7 - This photograph was taken by Jan Rice on 3/19/10 of the unnamed tributary and of a soccer ball downhill from the Hillview MHV WWTP.



Figure 8 - This photograph was taken by Jan Rice on 3/19/10 of the unnamed tributary and of a toy car downstream from the location shown in Figure 9.



Figure 9 - This photograph was taken by Jan Rice on 3/19/10 of the Hillview MHV sign which provides a contact telephone number.

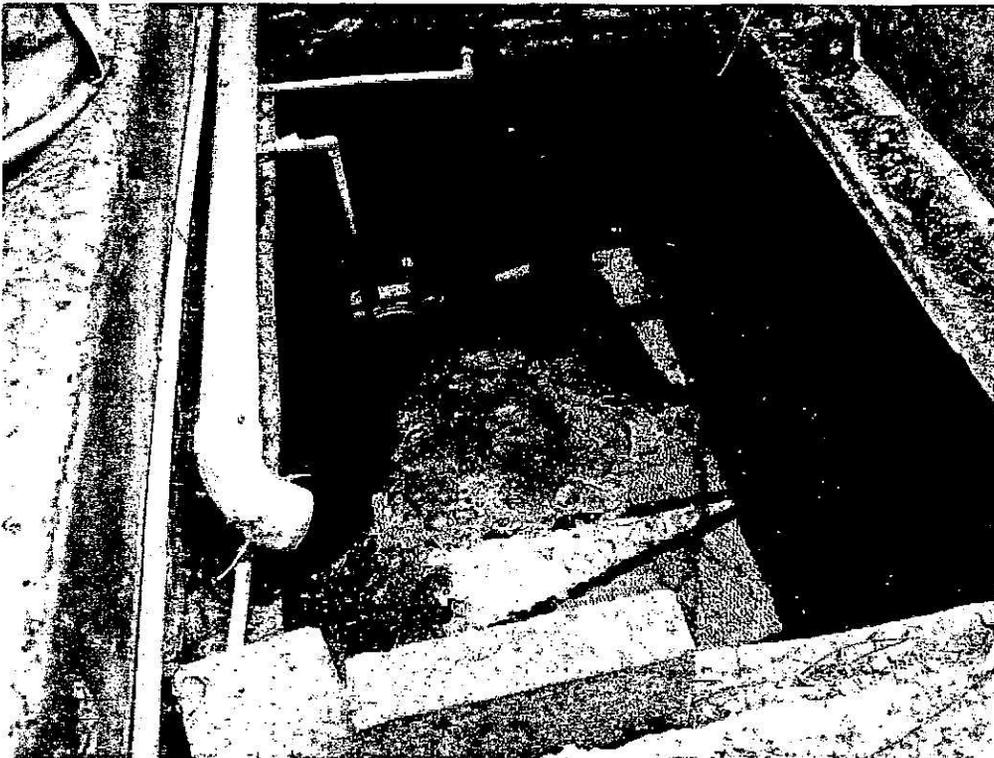


Figure 10 - This photograph was taken by Cole Miller (OEPA/DSW/CDO) on 11/5/10 showing the Hillview MHV WWTP aeration tank. Note dark gray discoloration of wastewater within the tank as well as floating solids. Wastewater in a WWTP aeration tank would normally be light brown in color which is an indication that wastewater is being properly treated. No aeration was occurring at the time of this site visit even though the aeration blower was in operation.

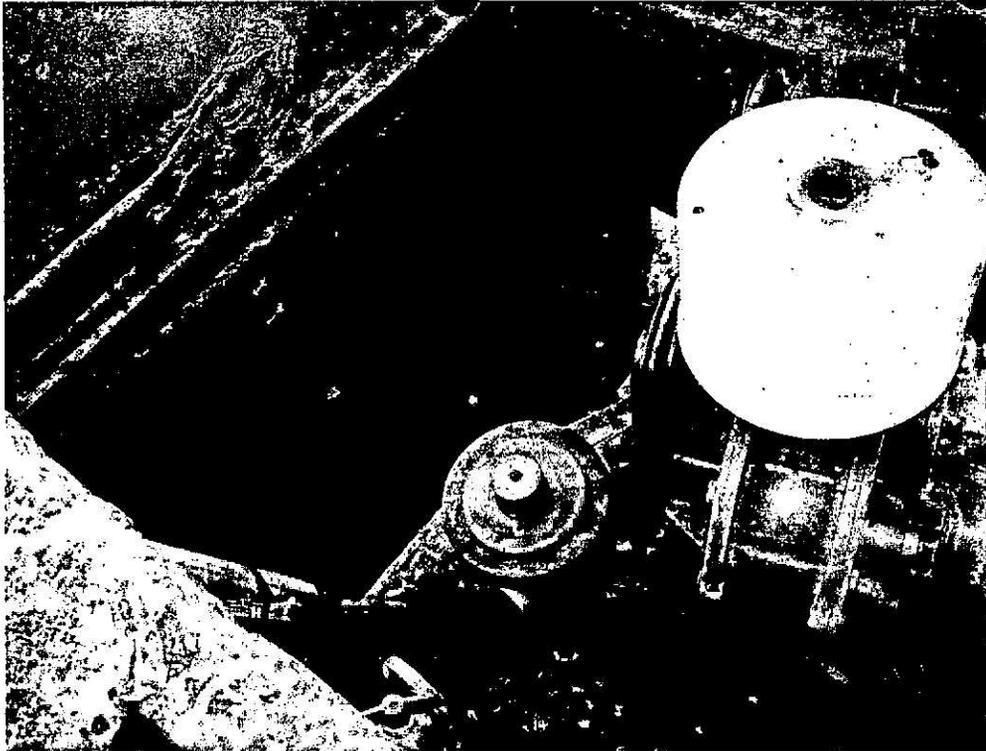


Figure 11 - This photograph was taken by Cole Miller (OEPA/DSW/CDO) on 11/5/10 showing the Hillview MHV WWTP clarifier tank. Wastewater in the clarifier was also discolored dark gray and was odorous. Wastewater was being discharged from the clarifer onto the ground at the time of this inspection.



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