



Environmental  
Protection Agency

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

FILE COPY

Certified Mail #91 7108 2133 3932 4449 1400

May 10, 2011

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

**Re: Notice of Violation - Marlin Trace Investments II dba Hillview Mobile Home Village National Pollutant Discharge Elimination System (NPDES) Ohio EPA Permit 4PV00120**

Dear Mr. Anthony:

This correspondence serves as a **Notice of Violation** for noncompliance with requirements of your NPDES permit for the Hillview wastewater treatment plant (WWTP).

### Violations

1. NPDES wastewater discharge permit violations have occurred. Discharge monitoring reports submitted since July 2006 document effluent limitation violations listed in Attachment "A".
2. Compliance Schedule violations are listed in Attachment "B".
3. For the period of time extending from July 1, 2006, through March 31, 2011, monitoring frequency violations have occurred due to eDMR non-submittal for the following months: January 2007 and March 2008 through January 2011. The total number of eDMRs not submitted is 39.
4. Violation of NPDES Permit 4PV00120 terms and conditions is also a violation of Ohio Revised Code 6111.04 and 6111.07 which states:

*6111.04 (C) No person to whom a permit has been issued shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit without first receiving a permit from the director to do so. 6111.07 (A) Prohibited acts - prosecutions and injunction by attorney general. No person shall violate or fail to perform any duty*

*imposed by sections 6111.01 to 6111.08 of the Revised Code or violate any order, rule, or term or condition of a permit issued or adopted by the director of environmental protection pursuant to those sections. Each day of violation is a separate offense.*

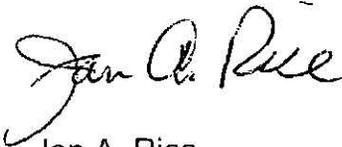
**Additional information**

The Hillview WWTP has been categorized as a facility that should receive priority enforcement attention. In order to be removed from this category without a formal enforcement action being initiated you must maintain final effluent limitation compliance for three consecutive months and meet compliance schedule deadlines.

Please advise me in writing by June 1, 2011, regarding your plan of action to resolve issues noted in this letter. If these issues are not resolved this office may proceed with expedited enforcement action which includes a monetary penalty and issuance of Director's Final Findings and Orders.

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](mailto:jan.rice@epa.state.oh.us).

Sincerely,



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

c: Larry Hannah, Fairfield County Health Department

## Attachment "A"

Hillview (4PV00120)

Effluent Limitations Violations (7/1/06 - 3/31/11)

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
4PV00120*BD	March 2011	001	00530	Total Suspended Solids	30D Conc	12	228.	3/1/2011
4PV00120*BD	March 2011	001	00530	Total Suspended Solids	30D Qty	0.41	3.88341	3/1/2011
4PV00120*BD	March 2011	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	39.4	3/1/2011
4PV00120*BD	March 2011	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.10	.67108	3/1/2011

Attachment "B"

Hillview (4PV00120)

Compliance Schedule Violations

Facility	Permit No	App No	Permit Effective Date	Permit Expiration Date	Schedule Due Date	Completion Date	Event Code	Schedule Type	Schedule Milestone
Hillview	4PV00120*BD	OH0136280	1/1/2009	6/30/2010	7/1/2009	Incomplete	3099	Construction	Begin Construction
Hillview	4PV00120*BD	OH0136280	1/1/2009	6/30/2010	1/1/2010	Incomplete	5699	Construction	Final Compliance w/ Eff Limits



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