

JUN 25 2007

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June 21, 2007

Allen County
2PD00029*PDMayor & Council
City of Delphos
608 N. Canal St.
Delphos, Ohio 45833Re: Notice of Violation – Nine Minimum Control Implementation/ Collection System
Inspection

Dear Mayor & Council:

On May 30, 2007, Ohio EPA staff members Tom Poffenbarger, Alex Smaili and I met with WWTP Superintendent Kim Riddell and Assistant Superintendent Todd Teman to conduct an inspection of the City of Delphos's wastewater collection system and the degree of implementation of the Nine Minimum Controls (NMC) for reducing combined sewer overflow impacts. The Nine Minimum Controls are included in Part II, Item F of your current National Pollutant Discharge Elimination System (NPDES) permit (Ohio EPA No. 2PD00029*PD).

Discussion during the inspection, review of records, and review of information submitted to this office indicates that the City is in violation of permit requirements calling for implementation of the Nine Minimum Controls. Specifically, the City is not sufficiently implementing the following minimum control: Proper operation and regular maintenance programs for the sewer system and CSO outfalls (NMC 1). Details regarding the City's efforts for each of the Nine Minimum Controls are contained in Attachment A.

Our comments and recommendations are as follows:

- 1) The City should develop and implement a proper operation and regular maintenance program for the collection system. At a minimum, the contents of the program should include:
 - Documentation of organizations and individuals responsible for aspects of the Operation and Maintenance (O&M) program,
 - A list of resources (*i.e.*, people and money) allocated to O&M activities,
 - Planning and budgeting procedures for O&M of the collection system,
 - A list of critical facilities (*e.g.*, backflow prevention devices, overflow weirs, CSO treatment facilities, pump stations, *etc.*),
 - Written procedures and schedules for routine maintenance of equipment, sewers, and catch basins,

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

June 21, 2007

Page 2

- Written procedures to ensure that regular maintenance is provided,
 - Written procedures for responding to emergency situations,
 - Policies and procedures for training O&M personnel, and
 - A process for periodic reviews and adjustments of the O&M program
- 2) The duckbill backflow prevention devices installed on the CSOs during the mid-1990s appear to be nearing the end of their useful life. Improperly functioning backflow prevention devices may result in dry weather overflows (a violation of the Nine Minimum Controls and the City's NPDES permit) or river intrusions that cause increased flows to the wastewater treatment plant (WWTP). Such a situation may result in increased treatment costs and O&M requirements at the WWTP. The City should replace these valves to minimize the exchange between receiving waters and untreated wastewater in the collection system.
- 3) Signs notifying the public of CSO concerns were posted at each of the CSO outfalls. At the same time, the public notification program could be improved by including CSO-related information on the City's existing website. Appropriate information should include CSO locations, general concerns related to CSOs, contact information where the public can receive additional information, and any other relevant content.

Please note that proper implementation of the Nine Minimum Controls is critical to your achieving compliance with your NPDES permit. Failure to comply with the Nine Minimum Control implementation requirements in your NPDES permit may result in enforcement actions from Ohio EPA.

A response to this letter should be sent to our office within 30 days of the date on this letter. If you have questions/concerns regarding this report, I can be reached by telephone at (614) 644-2118 or email at dan.gill@epa.state.oh.us.

Sincerely,

Daniel P. Gill
Environmental Specialist
Division of Surface Water, Ohio EPA
Central Office

Attachments

pc: Tom Poffenbarger, DSW, NWDO
DSW-CO File

Attachment A
City of Delphos Combined Sewer Overflow Reconnaissance Inspection

Part II, Other Requirements, Item F., in the permittee's NPDES permit (Ohio EPA No. 2PD00029), indicates that the entire wastewater treatment system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. This is to be accomplished through use of what is known as the Nine Minimum Controls. Part II.B. of the National CSO Control Policy discusses implementation requirements for these control measures, which are listed and discussed below.

1. Proper operation and regular maintenance programs for the sewer system and CSOs.

City of Delphos staff operates and maintains the WWTP and collection system. At a minimum, the permittee makes weekly inspections of the six CSO outfalls, in addition to inspections conducted during rain events. CSO inspections are documented.

The permittee maintains a detailed and up-to-date sewer collection system map for use in planning and inspections. The permittee indicated that operation and maintenance of the sewer lines is largely complaint driven. Inspections of the sewer lines are not documented, nor is a centralized log book maintained of any maintenance or repair activities. It follows that the overall condition of the collection system cannot be described as good as a result of proper preventative operation and maintenance (O&M) measures. **The permittee should develop and implement a proper operation and regular maintenance program for the collection system. The body of this letter contains minimum program characteristics that should be included.**

2. Maximum use of the collection system for storage.

The permittee indicated that the fixed-weir regulators present in each of the CSOs are set at the highest elevation possible without causing basement backups or excessive street flooding. Five of the six CSOs have duckbill backflow prevention devices installed on them. **Replacement of these devices should be considered as they are nearing the end of their useful life greatly increasing the potential for malfunction which could result in violation of the City's NPDES permit.** The sixth CSO has been blocked with a temporary plug as the City investigates the potential to permanently close this structure.

3. Review and modification of pretreatment requirements to assure CSO impacts are minimized.

The permittee indicated that industrial users hold back as much flow as is allowable without negatively impacting their facilities during wet weather.

4. Maximize flow at the WWTP for treatment.

City staff indicated that, once hydraulic kinks are worked out of the newly constructed wastewater treatment facility, the WWTP will be able to treat peak sustained flows of 12 million gallons per day (MGD) for 48 hours. During wet weather events, the permittee will operate the WWTP at these peak levels until wet weather impacts subside.

5. Prohibition of CSOs during dry weather.

The permittee inspects all CSOs weekly regardless of the occurrence of wet weather. To date, no dry weather overflows have been identified. As noted above, backflow prevention devices have been installed on five of the six CSO outfalls preventing receiving waters from freely exchanging with untreated combined sewage in the collection system.

6. Control of Solid and Floatable Materials in CSOs.

The permittee indicated that routine schedules exist for cleaning catch basins. However, the permittee was uncertain as to the degree of adherence to these schedules. **A routine frequency for cleaning catch basins should be established as part of the O&M program the City has been asked to develop. Measures to ensure cleaning frequencies are adhered to should also be included in the O&M plan.**

7. Pollution prevention.

The City operates a street sweeper at least twice annually. Leaf pickup service is also available. Vacuum and jetter equipment are operated on an as needed basis to remove solids that have deposited in the collection system.

8. Public Notification to ensure that the public receives adequate notification of CSO occurrences and CSO impacts.

Signs are posted at CSO locations to inform the public that contact with discharge from these structures should be avoided.

It is recommended that the permittee distribute informational brochures detailing CSO information (such as location, health concerns, and contact information to receive further details), as well as, include an informational link on the already established City of Delphos website.

9. Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls.

The permittee is continuing to monitor its system in accordance with its NPDES permit. This information should be used to evaluate effectiveness of sewerage system improvements.