



State of Ohio Environmental Protection Agency

Northeast District Office

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

July 29, 2008

RE: HOLMES COUNTY
VILLAGE OF MILLERSBURG
CEILING CONCENTRATION EXCEEDENCE

NOTICE OF VIOLATION

Mr. Kevin Brooks, Administrator
6 North Washington Street
Millersburg, Ohio 44654

Dear Mr. Brooks:

On July 7, 2008, Ohio EPA became aware of the second land application of sewage sludge that exceeded the ceiling concentration established for Molybdenum. The land application of sewage sludge occurred on the following authorized sewage sludge sites:

Ohio EPA #38-00115 (Field I.D. HO0120-1), owned by Mr. Roger Patterson.

Ohio EPA #38-00116 (Field I.D. HO0121-1), owned by Mr. Ralph McCluggage.

Ohio Administrative Code (OAC) Rule 3745-40-05(A) requires that "no person shall land apply sewage sludge if the concentration of any pollutant in the sewage sludge exceeds the ceiling concentration for that pollutant established in paragraph (F) of this rule." The ceiling concentration for Molybdenum is 75 mg/kg. According to a letter dated July 14, 2008, the Village of Millersburg waste water treatment plant (WWTP) land applied sewage sludge with a Molybdenum concentration of 140.0 mg/kg.

The land application of sewage sludge in exceedence of the ceiling concentration constitutes a violation of Ohio Revised Code Chapter 6111 and OAC Rule 3745-40.

To address the above violation, the WWTP must immediately begin performing the following:

- The authorized sewage sludge sites where land application occurred is now designated a cumulative pollutant loading rate (CPLR) field. Record keeping for the CPLR field must be maintained in accordance with OAC Rule 3745-40; and
- Ensure that the sewage sludge satisfies the requirements established within OAC Rule 3745-40-05(F), 3745-40-05 (K), and 3745-40-05 (M) prior to the land application of sewage sludge to authorized sewage sludge sites.

MR. KEVIN BROOKS
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Effective immediately, the Village of Millersburg's WWTP must not remove sewage sludge from the WWTP for land application until such time as all of the analytical results have been received from the contracted laboratory and reviewed by WWTP employees to ensure that the treated sewage sludge satisfies the Class B sewage sludge requirements established within OAC Rule 3745-40.

The Village of Millersburg's sewage sludge disposal program did not appear to be in compliance with OAC 3745-40. Should you have any questions regarding the sewage sludge inspection, please contact me at your earliest convenience at (330) 963-1118.

Sincerely,



Chris Moody
Environmental Specialist
Division of Surface Water

CM:bo

cc: Mr. Kevin Vaughn, Utilities Superintendent
Mr. Tom Abraham, Agri-Sludge, Inc.

ec: Mr. Dean Stoll, DSW-NEDO
Mr. Andrew Gall, DSW-NWDO
Mr. Jacob Howdysell, DSW-CO
Mr. Pete Simcic, DSW-Legal