



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 24, 2009

RE: WAYNE COUNTY  
VILLAGE of SMITHVILLE  
NPDES# 3PB00046

**NOTICE OF VIOLATION**  
**CERTIFIED MAIL**

Mayor Allen D. Snyder  
Village of Smithville  
207 W. Main Street  
P.O. Box 517  
Smithville, OH 44677-0517

Dear Mayor Snyder:

This letter addresses the equalization tank bypass at the wastewater treatment plant and the violations to your National Pollutant Discharge Elimination System (NPDES) permit compliance schedule.

While reviewing the Permit to Install for the wastewater treatment plant influent screening improvements project, a bypass was noted as existing at the plant. It is understood that under high flows, the influent is diverted to the existing flow equalization tanks for holding until high flows subside. If the equalization tank fills and influent flows have not subsided, the tank overflows into a line connected with the final effluent downstream of disinfection. The only treatment provided to the diverted wastewater is through the wastewater grinder and the aeration achieved within the flow equalization tank.

The current National Pollutant Discharge Elimination System (NPDES) permit does not require the Village to monitor this bypass pursuant to the general conditions of Part 3 of the permit. The current NPDES permit expires November 30, 2010, and the renewal permit will contain a new outfall for the equalization tank bypass. The new outfall will be Station 602 and the Village will be required to report the following information at this outfall:

- Data for the number of occurrence(s) per day, the daily duration, the total daily flow may be estimated.
- If there are no bypass discharges during month, leave data area blank and enter "No discharges during month" in the "Additional remarks" section (signature still required).
- Treatment plant bypass is prohibited except under emergency conditions where the bypass occurs in full compliance with all of the provisions of 40 CFR 122.41 (m) and Part III Item 11 of this NPDES permit.

Please note, if there is currently not a flow measuring device or an appropriate method for estimating the flow of the bypass, one must be provided. To date, this office has not received information from the Village regarding the bypass discharges and the number of occurrences that have occurred. As such, this office is requesting the Village begin submitting bypass summary reports to this office for the remainder of the existing permit cycle. The summary

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reports must include the same information that will be required for Station 602 (see above). Per your National NPDES permit compliance schedule, the Village of Smithville (Village) was required to initiate an evaluation of its sanitary sewer collection system within 6 months of the effective date of the permit (by April 17, 2006) to determine sources or causes of excessive infiltration and inflow (I/I). Within 18 months of the effective date of the permit, (by April 17, 2007) the Village was required to submit a report outlining the findings of the evaluation to the Ohio EPA Northeast District Office. The report was to describe in detail the methods that would be utilized to reduce and/or eliminate sources of excessive I/I. In addition, the report was to outline a fixed-date schedule milestone dates for the implementation of improvements. The report was to also address the unauthorized equalization tank bypass.

To date, these above mentioned items have not been submitted to this office. As such, the Village is in violation of the NPDES permit. It is our understanding the Village previously completed a Sanitary Sewer Evaluation Study (SSES). This office is willing to accept an update to the previous SSES as part of the compliance schedule requirements. To achieve compliance, the Village must complete the items listed in the compliance schedule.

In summary, this office is requesting the following items be submitted to achieve compliance:

- A: I/I study must be done. This office is willing to accept an update to the existing SSES previously completed by the Village.
- B: Submit a report outlining the findings of the evaluation to the Ohio EPA Northeast District Office.
- C: Install flow monitor at the bypass which is the overflow pipe from flow equalization basin (unless a flow monitor already exists here).
- D: Begin submitting bypass summary reports whenever the bypass is activated. This will be required for the remainder of the current NPDES permit 3PB00046\*FD.

If you have any questions or comments regarding this letter, please contact this office at (330) 963-1299.

Respectfully,



Laura A. Weber, P.E.  
Environmental Engineer  
Division of Surface Water

LAW:bo

pc: Charles Heath Smithville WWTP  
Don Fry, Smithville WWTP  
Wayne County Health Dept.

ec: Virginia Wilson, P.E., Ohio EPA, DSW, NEDO

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9/24/09

Sent to Mr. Allan P. Snyder  
Street, Apt. No.,  
or PO Box No. Smithville  
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions