



State of Ohio Environmental Protection Agency

Northwest District Office

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

RE: Notice of Violation
Auglaize County
The Dannon Company, Inc.
Ohio EPA Permit No. 2DP00017
and
Ohio EPA Permit No. 2IH00004

October 19, 2007

Mr. Kevin Bock
Environmental Engineer
The Dannon Company
P.O. Box 122
Minster, OH 45865-0122

Dear Mr. Bock:

We are in receipt of your self monitoring report covering the months of July 2007 through September 2007 for the referenced facility. Our review indicates violations of the conditions of your Indirect Discharge Permit, 2DP00017. The specific instances of noncompliance are as follows:

Outfall	Date	Parameter	Reported	Units	Permit Limitation	Reporting WWTP
001	7/17/2007	TSS	448	mg/l	211	Old Plant
001	7/17/2007	TSS	657.4	kg/day	321	Old Plant
001	8/1/2007	TSS	384	mg/l	211	Old Plant
001	8/8/2007	TSS	406.8	kg/day	321	New Plant
001	8/9/2007	TSS	338.8	kg/day	321	New Plant
001	8/10/2007	TSS	240	mg/l	211	New Plant
001	8/10/2007	TSS	495.2	kg/day	321	New Plant
001	8/22/2007	TSS	243	mg/l	211	New Plant
001	8/22/2007	TSS	570.2	kg/day	321	New Plant
001	8/28/2007	TSS	343	mg/l	211	New Plant
001	8/28/2007	TSS	725.2	kg/day	321	New Plant
001	8/29/2007	TSS	330	mg/l	211	New Plant
001	8/29/2007	TSS	675.6	kg/day	321	New Plant
001	August 2007 Avg.	TSS	252.8	kg/day	214	New Plant
001	9/6/2007	TSS	220	mg/l	211	New Plant
001	9/8/2007	TSS	260	mg/l	211	New Plant
001	9/8/2007	TSS	462.2	kg/day	321	New Plant
001	9/9/2007	TSS	398.1	kg/day	321	New Plant
001	9/28/2007	TSS	388	kg/day	321	New Plant
001	9/29/2007	TSS	350	mg/l	211	New Plant
001	9/29/2007	TSS	628.4	kg/day	321	New Plant
001	9/30/2007	TSS	300	mg/l	211	New Plant
001	9/30/2007	TSS	612.6	kg/day	321	New Plant
001	September 2007 Avg.	TSS	251.1	kg/day	214	New Plant

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A review of our records for your National Pollutant Discharge Elimination System permit, 2IH00004, indicates that we have not received your Monthly Operating Report (MOR) data for the month of August 2007. All MOR data must be submitted to Ohio EPA by the 15th day of the following month for paper copy submission or by the 20th day of the following month for electronic submission.

We have received your daily electronic reports for the numeric violations of your IDP. At this time we are not requesting any further response to those violations.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements, including adequate laboratory controls, appropriate quality assurance procedures, and records retention, as specified in your Part III-General conditions of your Indirect Discharge permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets or U. S. EPA's "*Facility Pollution Prevention Guide*" (EPA/600/R-92.008), please contact the Ohio EPA Pollution Prevention Section at (614)644-3469.

If there are any questions, please contact this office.

Yours truly,



Justin A. Williams
Division of Surface Water

/lb
Enclosure

Pc: ~~Julia Zhang, DSW, CO~~
NWDO File

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Data

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MORs not submitted

Period: Apr-07 Sep-07

County	Permit #	Facility Name	Major	Station Code	Month Missing
Auglaize	211130004	Dannon Company Inc		1	8/1/2007

Get New
Data

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Data

MORs not submitted

Period: Apr-07 Sep-07

County	Permit #	Facility Name	Major	Station Code	Month Missing
Auglaize	2IH00004	Dannon Company Inc		1	8/1/2007