



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. 2IH00004
NPDES Permit No. OH0078531

June 1, 2010

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 January through March 2010 for the referenced facility. Our review indicates violations of the conditions of your NPDES permit. The specific instances of noncompliance are attached on a separate sheet. Further review of your self-monitoring reports for the previous six months, ending in March 2010, indicates that you are in significant non-compliance (SNC) with an effluent limitation contained in your NPDES permit. The specific instance of SNC is attached on a separate sheet.

We have received your email response dated March 19, 2010, regarding the above listed violation. No further response is requested at this time.

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 NPDES 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 me at (419) 373-3022.

Sincerely,

Justin A. Williams
Division of Surface Water

/lb

Enclosures

Pc w/Enclosures: NWDO-DSW-File

Ref: New Date:

Violations for The Dannon Company, Inc. - January - March 2010

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2IH00004*CD	February 2010	001	80082	CBOD 5 day	30D Conc	15	86.1	2/1/2010
2IH00004*CD	February 2010	001	80082	CBOD 5 day	1D Conc	23	86.1	2/26/2010
2IH00004*CD	February 2010	001	00550	Oil and Grease, Total	1D Conc	10	171.2	2/26/2010

Get New
Data

Get Detail
for Selected
Permit

Facilities in Significant Non-Compliance **

Period: Oct-09 Mar-10

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max % Exceed	# Months Significant Exceed	# Months Exceed (2)
Auglaize	2IH00004	Dannon Company Inc		1	00550	Oil and Grease, Total	2159	2	2

Footnotes

for Significant NonCompliance

** Significant non-compliance with effluent limits occurred if one or more pollutants met the following conditions:

1. During 2 or more months, the reported effluent concentration (or computed load) for a parameter exceeded an effluent limit by:
 - a. 40% for Group 1 pollutants **plus Fecal Coliform**
 - b. 20% for Group 2 pollutants **plus pH, Temperature, whole effluent toxicity**-- or --
2. During 4 or more months, the reported concentration (or computed load) exceeded the limit by > 1%.

Note: This method differs from USEPA Significant Non-compliance (SNC) method in the following ways:

- USEPA only evaluates SNC for average limits. In above analyses, maximum and weekly limits were also considered.