



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: Notice of Violation
Auglaize County
ODOT Park Area 7-26
ODOT Park Area 7-33

December 2, 2010

Mr. Lonnie C. Falknor
Building Maintenance Superintendent 2
ODOT District 7
P. O. Box 969
Sidney, Ohio 45365

Dear Mr. Falknor:

We are in receipt of your self-monitoring report covering the months of July through September 2010, for the above referenced facilities. Our review indicates violations of the conditions of your NPDES permits. The specific instances of noncompliance are attached on separate sheets. Further review of the ODOT Park Area 7-26 self-monitoring reports for the previous six months, ending in September 2010, indicates that you are in significant non-compliance (SNC) with several effluent limitations contained in your NPDES permit. The specific instances of SNC are attached on a separate sheet.

We have received Mr. Neil Rohrbach's September 20, 2010, and November 9, 2010, email responses to the July and August violations for both facilities. No further response is need for those violations. Please inform this office in writing as to the reasons for the September 2010, violations at both facilities, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

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.

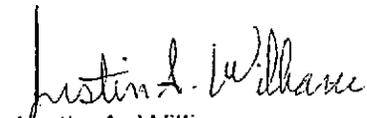
The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction).

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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

/llr

Enclosures

pc w/enclosures: ~~DSW:NWDO:File(2)~~
Mr. Mark J. Spagnuolo
Mr. Rick Puderbaugh

Get New Data

Violations for ODOT Rest Area 7-26 - July - September 2010

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PP00025*FD	July 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	31.09	7/1/2010
2PP00025*FD	July 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.11	.50601	7/1/2010
2PP00025*FD	July 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	31.09	7/22/2010
2PP00025*FD	July 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.16	.50601	7/22/2010
2PP00025*FD	July 2010	001	00300	Dissolved Oxygen	1D Conc	6.0	5.01	7/28/2010
2PP00025*FD	August 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	34.81	8/1/2010
2PP00025*FD	August 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.11	.61925	8/1/2010
2PP00025*FD	August 2010	001	00300	Dissolved Oxygen	1D Conc	6.0	5.1	8/5/2010
2PP00025*FD	August 2010	001	00300	Dissolved Oxygen	1D Conc	6.0	5.35	8/12/2010
2PP00025*FD	August 2010	001	00300	Dissolved Oxygen	1D Conc	6.0	5.85	8/19/2010
2PP00025*FD	August 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	34.81	8/22/2010
2PP00025*FD	August 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.16	.61925	8/22/2010
2PP00025*FD	August 2010	001	00300	Dissolved Oxygen	1D Conc	6.0	5.97	8/26/2010
2PP00025*FD	September 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	24.79	9/1/2010
2PP00025*FD	September 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.11	.36594	9/1/2010
2PP00025*FD	September 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	24.79	9/22/2010
2PP00025*FD	September 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.16	.36594	9/22/2010

Get New Data

Violations for ODOT Rest Area 7-35 - July - September 2010

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PP00026*ED	July 2010	001	00400	pH	1D Conc	6.5	6.3	7/28/2010
2PP00026*ED	July 2010	001	00300	Dissolved Oxygen	1D Conc	5.0	4.36	7/28/2010
2PP00026*ED	August 2010	001	00300	Dissolved Oxygen	1D Conc	5.0	4.42	8/5/2010
2PP00026*ED	August 2010	001	00300	Dissolved Oxygen	1D Conc	5.0	4.45	8/12/2010
2PP00026*ED	August 2010	001	00300	Dissolved Oxygen	1D Conc	5.0	4.5	8/19/2010
2PP00026*ED	August 2010	001	00300	Dissolved Oxygen	1D Conc	5.0	4.5	8/26/2010
2PP00026*ED	September 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	2.0	38.23	9/1/2010
2PP00026*ED	September 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.08	.83174	9/1/2010
2PP00026*ED	September 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	3.0	38.23	9/22/2010
2PP00026*ED	September 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.10	.83174	9/22/2010

Get New
Data

Get Detail
for Selected
Permit

Facilities in Significant Non-Compliance **

Period: Apr-10 Sep-10

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max % Exceed	# Months Signif Exceed (1)**	# Months Exceed (2)**
Auglaize	2PP00025	ODOT No 7-26		1	00530	Total Suspended Solids	100	2	3
Auglaize	2PP00025	ODOT No 7-26		1	00610	Nitrogen, Ammonia (NH3)	3510	6	6
Auglaize	2PP00025	ODOT No 7-26		1	31616	Fecal Coliform	141.5	2	2
Auglaize	2PP00025	ODOT No 7-26		1	80082	CBOD 5 day	67.4	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.