



**Environmental
Protection Agency**

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

RE: Notice of Violation
Auglaize County
The Dannon Company, Inc.

October 5, 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 June 2010 for the above referenced facility covered under IDP #2DP00017. Our review indicates violations of the conditions of your IDP. The specific instances of noncompliance are attached on separate sheets.

For the May 31, 2010, dissolved oxygen and pH violations, it appears that the requested data was left blank or only a decimal point was entered into the report. If you have sample data available for these parameters on that date, please resubmit the May 2010 report with the available data entered into the report.

We have also received your email responses dated January 4, 2010, January 5, 2010, February 4, 2010, February 5, 2010, March 30, 2010, April 30, 2010, and May 1, 2010 regarding the above referenced violations. 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

Pc w/Enclosures: ~~NWDO - DSW-File~~

Violations Report For: The Dannon Co Inc

OEPA No. 2DP00017*EP

Month: **Jan**

Year: **2010**

Violation

<u>Date</u>	<u>Type</u>	<u>Description</u>
1/3/2010	Numeric Violation	001 Limit 2010-01-03 00530 Total Suspended Solids To Cond 5.00% 1001
1/3/2010	Numeric Violation	004 Limit 2010-01-03 00530 Total Suspended Solids To Cond 10.00% 905
1/4/2010	Numeric Violation	001 Limit 2010-01-04 00530 Total Suspended Solids To Cond 5.00% 1001

Total Numeric Violations for Month: 3

Total Non-Numeric Violations for Month: 0

Total Frequency Violations for Month: 0

Total Violations for Month: 3

Violations Report For: The Dannon Co Inc

OEPA No. 2DP00017*EP

Month: **Feb**

Year: **2010**

Violation		
<u>Date</u>	<u>Type</u>	<u>Description</u>
2/3/2010	Numeric Violation	001 Limit 2010-02-03 00530 Total Suspended Solids D Conc 128 146
2/4/2010	Numeric Violation	001 Limit 2010-02-04 00530 Total Suspended Solids D Conc 128 146

Total Numeric Violations for Month: 2

Total Non-Numeric Violations for Month: 0

Total Frequency Violations for Month: 0

Total Violations for Month: 2

Violations Report For: The Dannon Co Inc

OEPA No. 2DP00017*EP

Month: **Apr**

Year: **2010**

Violation		
<u>Date</u>	<u>Type</u>	<u>Description</u>
4/29/2010	Numeric Violation	001 Limit 2010-04-29 005.00 Total S...
4/30/2010	Numeric Violation	001 Limit 2010-04-30 005.00 Total S...

Total Numeric Violations for Month: 2

Total Non-Numeric Violations for Month: 0

Total Frequency Violations for Month: 0

Total Violations for Month: 2

Violations Report For: The Dannon Co Inc

OEPA No. 2DP00017*EP

Month: **May**

Year: **2010**

Violation

<u>Date</u>	<u>Type</u>	<u>Description</u>
5/31/2010	Numeric Violation	001 Limit 2010-05-31 003000 resolved
5/31/2010	Numeric Violation	001 Limit 2010-05-31 004000

Total Numeric Violations for Month: 2

Total Non-Numeric Violations for Month: 0

Total Frequency Violations for Month: 0

Total Violations for Month: 2