



State of Ohio Environmental Protection Agency

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N.W.D.O.

July 9, 2007

Hardin County
2PB00061*HD

Mayor & Council
Village of Dunkirk
201 N. Main Street
Dunkirk, Ohio 45836

Re: Notice of Violation – Nine Minimum Control Implementation/ Collection System Inspection

Dear Mayor & Council:

On June 5, 2007, Ohio EPA staff members Tom Poffenbarger, Alex Smaili and I met with WWTP Operator Paul Cramer and the Village's contracted consultant John Grosse of R.D. Zande & Associates, Inc. to conduct an inspection of the Village of Dunkirk's wastewater collection system and the degree of implementation of the Nine Minimum Controls (NMC) for reducing combined sewer overflow impacts. The Nine Minimum Controls are included in Part II, Item F of your current National Pollutant Discharge Elimination System (NPDES) permit (Ohio EPA No. 2PB00061*HD).

Discussion during the inspection, review of records, and review of information submitted to this office indicates that the Village is in violation of permit requirements calling for implementation of the Nine Minimum Controls. Specifically, the Village is not sufficiently implementing the following minimum controls: Maximize use of the collection system for storage (NMC 2), Prohibition of dry weather overflows (NMC 5), and Pollution prevention (NMC 7). Discussion regarding the Village's efforts for each of these controls and additional efforts that should be taken is located below in Attachment A. Please note that proper implementation of the Nine Minimum Controls is critical to your achieving compliance with your NPDES permit. Failure to comply with the Nine Minimum Control implementation requirements in your NPDES permit may result in enforcement actions from Ohio EPA.

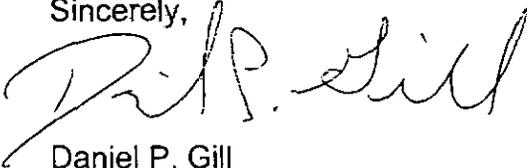
The current status of Long-Term Control Plan projects was also discussed during the inspection. The Village is currently developing detail plans for complete sewer separation. Submission of these plans to Ohio EPA is expected by July 31, 2007.

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

Page 2
July 9, 2007

A response to this letter detailing efforts the Village will undertake to fully implement the Nine Minimum Controls should be sent to this office within 30 days of the date on this letter. If you have questions/concerns regarding this report, I can be reached by telephone at (614) 644-2118 or email at dan.gill@epa.state.oh.us.

Sincerely,



Daniel P. Gill
Environmental Specialist
Division of Surface Water, Ohio EPA
Central Office

Attachments

c: Tom Poffenbarger, DSW, NWDO
DSW-CO File

Attachment A
Village of Dunkirk Combined Sewer Overflow Reconnaissance Inspection

Part II, Other Requirements, Item F., in the permittee's NPDES permit (Ohio EPA No. 2PB00061), indicates that the entire wastewater treatment system shall be operated and maintained so that the total loading of pollutants discharged during wet weather is minimized. This is to be accomplished through use of what is known as the Nine Minimum Controls. Part II.B. of the National CSO Control Policy discusses implementation requirements for these control measures, which are listed and discussed below.

1. Proper operation and regular maintenance programs for the sewer system and CSOs.

Village of Dunkirk staff operates and maintains the WWTP and collection system. The permittee makes daily inspections of the six CSO outfalls. CSO inspections are documented. The permittee maintains a detailed and up-to-date sewer collection system map for use in planning and inspections. It was stated during the inspection that the collection system experiences minimal issues associated with fats, oil and grease (FOG) and inflow & infiltration (I/I).

2. Maximum use of the collection system for storage.

The permittee indicated that the overflow pipelines associated with the CSOs connect to the interceptors at the highest elevation possible without causing basement backups or excessive street flooding. At the same time, several CSOs are prone to river intrusion when the receiving waters are elevated. These CSOs have not been equipped with backflow prevention devices that would prevent open exchanges between the elevated receiving waters and untreated sewage in the collection system. There is concern that the river intrusion noted at these outfalls may contribute to collection system surcharging and subsequent activation of other CSOs, sanitary sewer overflows, street flooding, or water-in-basement episodes during high intensity wet weather events. **Backflow prevention devices (e.g., duckbill valve, flap gate) should be installed at outfalls with the potential for river intrusion to prevent collection system surcharging and related impacts.**

3. Review and modification of pretreatment requirements to assure CSO impacts are minimized.

The permittee indicated that no industrial users discharge to the collection system.

4. Maximize flow at the WWTP for treatment.

The WWTP is currently designed to handle average daily flows of 0.137 million gallons per day (MGD). The facility is a controlled discharge lagoon. The capacity of the lift

station immediately ahead of the lagoon is fully utilized to maximize the amount of wastewater that receives treatment.

5. Prohibition of CSOs during dry weather.

The permittee maintains its CSOs through daily inspections so that blockages are prevented. As noted above, the absence of backflow prevention on the CSO outfalls allows for potential dry weather overflows should the receiving water become elevated for reasons other than wet weather experienced in Dunkirk.

6. Control of Solid and Floatable Materials in CSOs.

The permittee indicated that catch basins are cleaned once per year and in response to complaints.

7. Pollution prevention.

The Village of Dunkirk does not operate a street sweeper, does not implement a leaf pick-up program, or engage in any other pollution prevention measures that would help prevent the deposition of materials in the collection system. **The Village should adopt pollution prevention measures such as street sweeper operation, leaf/brush pick-up, etc as soon as is practicable.**

8. Public Notification to ensure that the public receives adequate notification of CSO occurrences and CSO impacts.

Signs are posted at CSO locations to inform the public that contact with discharge from these structures should be avoided.

It is recommended that the permittee periodically distribute (during recreational season) informational brochures detailing CSO information (such as location, health concerns, and contact information to receive further details).

9. Monitoring to effectively characterize CSO impacts and the efficacy of CSO controls.

The permittee is continuing to monitor its system in accordance with its NPDES permit. This information should be used to evaluate effectiveness of sewerage system improvements.