



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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

April 17, 2009

RE: Cuyahoga County - Echo Hills WWTP
City of Brecksville
NPDES Permit No. 3PG00090*FD
Notice of Violation

Mr. Stanley Kosilesky
Cuyahoga County Engineer's Office
2100 Superior Viaduct
Cleveland, OH 44113

Dear Mr. Kosilesky:

In accordance with the requirements of the above referenced National Pollutant Discharge Elimination System (NPDES) permit, as modified effective July 1, 2007, Part I, C, Schedule of Compliance requires the completion of construction of the force main and pump station and the elimination of the discharge from the Echo Hills WWTP by December 28, 2008. Based upon correspondence from the Cuyahoga County Sanitary Engineer's Office dated December 2, 2008, the discharge from Echo Hills WWTP has not been eliminated; however, construction of the force main and pump station has been completed.

Review of the discharge monitoring reports, received by Ohio EPA for the period September 2006 through March 2009, indicates significant noncompliance with the final effluent limitations of the NPDES permit. The specific instances of noncompliance are as follows:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	80082	CBOD 5 day	7D Qty	6.1	7.48143	10/15/2006
001	80082	CBOD 5 day	30D Qty	4.1	7.48527	11/1/2006
001	80082	CBOD 5 day	7D Qty	6.1	10.8997	2/1/2008
001	80082	CBOD 5 day	7D Qty	6.1	7.64784	3/8/2009
001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.2	1.27715	8/15/2007
001	00610	Nitrogen, Ammonia (NH3)	30D Conc	2	3.40667	7/1/2008
001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.8	1.54297	7/1/2008
001	00610	Nitrogen, Ammonia (NH3)	7D Conc	3	9.03	7/15/2008
001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.2	4.4071	7/15/2008
001	00610	Nitrogen, Ammonia (NH3)	7D Conc	3	4.10333	7/22/2008
001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.2	1.63591	7/22/2008
001	00530	Total Suspended Solids	30D Conc	12	24.1428	10/1/2006
001	00530	Total Suspended Solids	30D Qty	4.9	17.0898	10/1/2006
001	00530	Total Suspended Solids	7D Conc	18	91.6666	10/15/2006
001	00530	Total Suspended Solids	7D Qty	7.4	70.806	10/15/2006
001	00530	Total Suspended Solids	30D Conc	12	24.3846	11/1/2006
001	00530	Total Suspended Solids	30D Qty	4.9	31.0355	11/1/2006
001	00530	Total Suspended Solids	7D Qty	7.4	10.1863	11/15/2006
001	00530	Total Suspended Solids	30D Conc	12	13.7857	1/1/2007
001	00530	Total Suspended Solids	30D Qty	4.9	9.8702	1/1/2007

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00530	Total Suspended Solids	7D Conc	18	27.	1/15/2007
001	00530	Total Suspended Solids	7D Qty	7.4	25.7228	1/15/2007
001	00530	Total Suspended Solids	30D Conc	12	12.1538	3/1/2007
001	00530	Total Suspended Solids	30D Qty	4.9	10.1769	3/1/2007
001	00530	Total Suspended Solids	7D Qty	7.4	21.4268	3/1/2007
001	00530	Total Suspended Solids	7D Conc	18	21.	3/15/2007
001	00530	Total Suspended Solids	7D Qty	7.4	14.7047	3/15/2007
001	00530	Total Suspended Solids	7D Qty	7.4	8.05448	11/22/2007
001	00530	Total Suspended Solids	30D Conc	12	13.3846	12/1/2007
001	00530	Total Suspended Solids	30D Qty	4.9	6.39752	12/1/2007
001	00530	Total Suspended Solids	7D Qty	7.4	8.23616	12/8/2007
001	00530	Total Suspended Solids	7D Qty	7.4	7.62299	12/22/2007
001	00530	Total Suspended Solids	30D Conc	12	13.6153	1/1/2008
001	00530	Total Suspended Solids	30D Qty	4.9	5.15983	1/1/2008
001	00530	Total Suspended Solids	7D Qty	7.4	8.50363	1/8/2008
001	00530	Total Suspended Solids	30D Conc	12	17.6666	2/1/2008
001	00530	Total Suspended Solids	7D Conc	18	29.6666	2/1/2008
001	00530	Total Suspended Solids	30D Qty	4.9	14.1988	2/1/2008
001	00530	Total Suspended Solids	7D Qty	7.4	37.9976	2/1/2008
001	00530	Total Suspended Solids	7D Conc	18	19.6666	2/15/2008
001	00530	Total Suspended Solids	7D Qty	7.4	13.4506	2/15/2008
001	00530	Total Suspended Solids	30D Conc	12	13.6923	3/1/2008
001	00530	Total Suspended Solids	30D Qty	4.9	11.2749	3/1/2008
001	00530	Total Suspended Solids	7D Qty	7.4	13.4001	3/1/2008
001	00530	Total Suspended Solids	7D Conc	18	22.	3/8/2008
001	00530	Total Suspended Solids	7D Qty	7.4	18.033	3/8/2008
001	00530	Total Suspended Solids	7D Qty	7.4	9.93941	3/22/2008
001	00530	Total Suspended Solids	30D Conc	12	20.9230	11/1/2008
001	00530	Total Suspended Solids	30D Qty	4.9	8.21869	11/1/2008
001	00530	Total Suspended Solids	7D Conc	18	25.3333	11/15/2008
001	00530	Total Suspended Solids	7D Qty	7.4	9.79053	11/15/2008
001	00530	Total Suspended Solids	7D Conc	18	27.	11/22/2008
001	00530	Total Suspended Solids	7D Qty	7.4	11.9883	11/22/2008
001	00530	Total Suspended Solids	30D Conc	12	13.8461	12/1/2008
001	00530	Total Suspended Solids	7D Conc	18	19.	12/1/2008
001	00530	Total Suspended Solids	30D Qty	4.9	5.58724	12/1/2008
001	00530	Total Suspended Solids	30D Conc	12	12.0769	1/1/2009
001	00530	Total Suspended Solids	30D Qty	4.9	5.90996	2/1/2009
001	00530	Total Suspended Solids	7D Qty	7.4	15.8440	2/8/2009
001	00530	Total Suspended Solids	30D Conc	12	13.0714	3/1/2009
001	00530	Total Suspended Solids	30D Qty	4.9	9.48224	3/1/2009
001	00530	Total Suspended Solids	7D Conc	18	38.6666	3/8/2009
001	00530	Total Suspended Solids	7D Qty	7.4	36.7750	3/8/2009

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It is our understanding, through the County's correspondence of December 2, 2008 and e-mails to Ohio EPA, Division of Environmental and Financial Assistance (DEFA), the elimination of the Echo Hills WWTP discharge has not occurred because the developer of a proposed subdivision has not constructed the infrastructure necessary for completing the connection to an existing sanitary sewer on Brecksville Road.

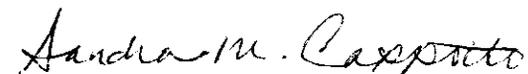
Please be advised, in an earlier letter from the County dated December 27, 2004, it was indicated the Echo Hills WWTP would be abandoned within the next couple of years. This letter also states, "*However, if the development does not proceed, this agency will make provisions to provide for all of the pump stations.*"

Within ten days of the above date of this letter provide this office with written notification of the County's intent to comply with the requirements of the NPDES permit. Your response must include a date for the submittal of the permit-to-install application and detail plans to complete the installation of the infrastructure necessary for the elimination of the discharge from the Echo Hills WWTP.

Please be advised, failure to comply with the terms and conditions of the NPDES permit may be cause for enforcement pursuant to the Ohio Revised Code Chapter 6111.

If you should have any questions please contact this office at (330) 963-1124.

Sincerely,



Sandra M. Cappotto
Environmental Scientist
Division of Surface Water

SMC/mt

cc: Robert Klaiber, Cuyahoga County Engineer
Anastasia McCready-Gliha, Cuyahoga County Sanitary Engineer's Office
Charles Althoff, Cuyahoga County Sanitary Engineer's Office
Mayor Jerry Hruby and Council, City of Brecksville
Gretchen Fickle, Ohio EPA, DEFA, CO

ec: Ronald A. Bell, Ohio EPA, NEDO, DSW