



State of Ohio Environmental Protection Agency

Northeast District Office

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

March 2, 2010

Re: **Trumbull County
Vienna Township
Trumbull County Vienna WWTP
NPDES Permit No. OH0097993
Ohio EPA Permit No. 3PG00144**

Rex Fee, Executive Director
Trumbull County Sanitary Engineers Office
842 Youngstown Kingsville Road
Vienna, Ohio 44473

Dear Mr. Fee:

An inspection was conducted by the undersigned of the referenced sanitary wastewater treatment plant on February 10, 2010. The County was represented by Mr. Bill Durst, Wastewater Collection Superintendent. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the above-referenced National Pollutant Discharge Elimination System (NPDES) permit. In addition, information gathered during the inspection will be utilized in determining the renewal status of the NPDES permit.

Inspection Findings/Compliance Status

The treatment system components consist of an airlift pump station, 18,980 gpd extended aeration activated sludge treatment process, final settling tank, slow surface sand filtration and UV disinfection. The final effluent discharges to an unnamed tributary of Squaw Creek.

At the time of inspection, the following observations, findings and/or comments were noted:

- The general operation and maintenance of the treatment facility appeared to be satisfactory.
- The final effluent being discharged to the receiving stream appeared to be of satisfactory visual quality.

A review of the facility's discharge monitoring reports (DMRs) received by Ohio EPA for the period, December 2008 – January 2010, indicate violations of the terms and conditions of the NPDES permit. The specific instances of noncompliance are as follows:

Report Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2009	001	Total Suspended Solids	30D Conc	12	19.	3/1/2009
March 2009	001	Total Suspended Solids	30D Qty	0.86	2.2869	3/1/2009
March 2009	001	Total Suspended Solids	7D Conc	18	19.	3/8/2009

Report Month	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2009	001	Total Suspended Solids	7D Qty	1.3	2.2869	3/8/2009
June 2009	001	Total Suspended Solids	30D Conc	12	17.5	6/1/2009
June 2009	001	Total Suspended Solids	30D Qty	0.86	2.18205	6/1/2009
June 2009	001	Nitrogen, Ammonia (NH3)	30D Conc	2.0	7.09333	6/1/2009
June 2009	001	Nitrogen, Ammonia (NH3)	30D Qty	0.14	.8493	6/1/2009
June 2009	001	Dissolved Oxygen	1D Conc	6.0	5.9	6/4/2009
June 2009	001	Total Suspended Solids	7D Qty	1.3	2.18205	6/22/2009
June 2009	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	7.895	6/22/2009
June 2009	001	Nitrogen, Ammonia (NH3)	7D Qty	0.22	.95499	6/22/2009
August 2009	001	Nitrogen, Ammonia (NH3)	30D Conc	2.0	5.2175	8/1/2009
August 2009	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	6.13	8/1/2009
August 2009	001	Nitrogen, Ammonia (NH3)	30D Qty	0.14	.3469	8/1/2009
August 2009	001	Nitrogen, Ammonia (NH3)	7D Qty	0.22	.36503	8/1/2009
August 2009	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	8.3	8/8/2009
August 2009	001	Nitrogen, Ammonia (NH3)	7D Qty	0.22	.63773	8/8/2009
September 2009	001	Total Suspended Solids	30D Conc	12	30.	9/1/2009
September 2009	001	Total Suspended Solids	30D Qty	0.86	1.64648	9/1/2009
September 2009	001	Total Suspended Solids	7D Conc	18	30.	9/8/2009
September 2009	001	Total Suspended Solids	7D Qty	1.3	1.64648	9/8/2009

Please be advised that failure to comply with the terms and conditions of your NPDES permit may be subject to enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code. Such actions can result in fines of up to \$10,000 per day of violation. Please inform this office, in writing, within 10 days of receipt of this notification as to the actions taken or proposed to address the above violation and/or deficiencies. Your response **shall** include specific dates for completion of the actions. Please be advised that past or present issues of noncompliance can continue as subjects of future enforcement actions by Ohio EPA.

In addition to the above, our review noted the following:

- The facility's eDMRs are currently being submitted and certified by Ms. Lori Baker. While eDMR allows permitted facilities to enter, electronically sign, and submit DMRs, federal and state regulations specify who can legally sign and certify the reports. Pursuant to the regulations, DMRs can **only** be signed and certified by an executive County official or by a duly authorized representative of said official. Pursuant to Title 40 Code of Federal Regulations (40 CFR) 122.22 (b):

A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,***
- (3) The written authorization is submitted to the Director.***

The Personal Identification Number, or PIN, uniquely identifies and serves as the **electronic signature** of the responsible or duly-authorized official. Based on the above requirements, Ms. Baker **cannot** sign and certify the eDMRs.

Under the eDMR program, the PIN holder can delegate individuals, such as lab personnel, with the privilege to view, create and edit DMRs...but not submit eDMR data. These individuals must have an eBusiness Center account, but do not need a PIN. Since they do not have the privilege of actually certifying the data, the law does not require them to have a PIN. Once these users perform the data entry or review the data, the DMR is saved and the PIN holder can log on and submit the DMR.

Anticipated NPDES Permit Changes

Based on recent rule revisions, the following changes will be incorporated into the renewal permit:

- The facility will be reclassified as a Class A treatment works in accordance with Ohio Administrative Code (OAC) 3745-7. Additionally, the County must provide written notice regarding the name and certification of the designated operator(s) of record for the facility. Please complete the enclosed Operator of Record (ORC) Notification Form and return it to the specified address within 30 days of receipt of this letter.
- As of March 15, 2010, the current Fecal Coliform water quality standard will be replaced by an *E. coli* standard. Based on the new Class B Primary Contact Recreation standard, the projected *E.coli* effluent limitations for the facility will be 161/100 ml (30-day average) and 362/100 ml (7-day average). The NPDES permit will include a "Schedule of Compliance" to allow the facility until May 2011 to achieve compliance with the new requirement.

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Summary/Conclusion

Based on the inspection findings and the facility's overall compliance record, this office anticipates drafting and public-noticing the renewal permit for public review and comment. Comments received during the public-notice period will be considered by Ohio EPA prior to issuance of a final permit.

Should you have any questions or comments regarding this letter, please contact me at (330) 963-1196.

Respectfully,



Ermelindo Gomes
Environmental Engineer
Division of Surface Water

Enclosure: ORC Form

File: Public/PC/Trumbull County Vienna