



Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Mercer County
Mercer County Commissioners
NPDES Permit
Notice of Violation

June 10, 2011

Mr. Kent Hinton
220 West Livingston Street
Suite A 230
Celina, Ohio 45822

Dear Mr. Hinton:

On May 26, 2011, Ohio EPA representatives, Ms. Michelle Sharp and Mr. Andrew Gall, met with Mr. Jared Ebbing, Mr. Jerry Laffin, Mr. James Karafit and you to discuss current and future sanitary sewer issues in Mercer County.

Discussions about specific plants are summarized in the inspection notes below. Other items to note are:

- The study for the Neptune area has been completed and the county has received money to begin engineering work for this area. We would be interested in receiving a copy of the study once you have received it.
- A study to sewer Mercer will be completed sometime in the future. A definitive time frame has not been set for this project.
- The planning document for the Southwest Grand Lake area, also known as Marion Phase II, is approximately 75% complete. These projects will be completed in stages as funding becomes available.

After the meeting, operation and maintenance inspections were made of the wastewater treatment facilities serving West Jefferson, Wagners, Philothea, Chapel Hill, Montezuma Club Island, Northwood, Country Time, and Deerfield areas. Mr. James Karafit was present and provided information about the operation of the treatment facilities to Ohio EPA representatives Ms. Michelle Sharp and Mr. Andrew Gall. Our observations and recommendations are as follows:

West Jefferson

Due to lower than expected flow rates at the plant, only half of the plant is being used. At the time of inspection, the aeration tanks were not being aerated. The blowers are on a timer, but Mr. Karafit was not sure what the exact setting was.

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The returns and skimmers were not evaluated. The clarifier had some scum floating on the surface. There was also an oil sheen observed on the surface of the clarifier. The effluent from the upflow filters appeared to be clear. The sand filters had some solids on them, but the overall condition was better than previous inspections. However, it should be noted that the condition of the old sand filter walls is deteriorating. Chlorination and dechlorination tablets were observed in the tube feeders. The effluent appeared to be clear. The log book for the plant was present at the plant. It appears that proper documentation was being maintained and that minimum staffing hours are being met.

We are in receipt of the discharge monitoring reports from June 2010, through April 2011. Our review indicates no violations of the terms and conditions of your NPDES permit.

Wagner's Subdivision

In general, both operation and maintenance appeared good. All major treatment components were in operation, and a clear effluent was observed. The mixed liquor in the aeration tanks had good color and was receiving an adequate amount of air. The sludge return and skimmer were both operating well. The clarifier appeared to be operating well. The west sand filter had some solids and plant growth on it. The east sand filter was almost completely full of water. Mr. Karafit indicated that this was due to the creek backflowing into the plant the night before due to a heavy amount of rain. Steps should be taken to prevent this type of water intrusion to the plant. **Please submit a letter to our office within 30 days of receipt of this letter indicating how this intrusion will be prevented in the future.** Chlorination and dechlorination tablets were observed in the tube feeders. The log book for the plant was present at the plant. It appears that proper documentation was being maintained and that minimum staffing hours are being met.

Mr. Karafit indicated that when the trash traps are pumped out the waste is hauled to the second lagoon at Montezuma Club Island. As indicated previously, this is not an acceptable practice for the liquid sludge and it is also not an acceptable disposable method for trash trap waste. This waste should be taken to a facility designed to treat it. **Please submit a letter to our office within 30 days of receipt of this letter indicating how this waste will be handled in the future.** The NPDES permit for this facility expires September 30, 2011. During the meeting prior to the inspections Mr. Ebbing indicated that he is currently working on the permit renewal application and will be submitting it in the near future.

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We are in receipt of the discharge monitoring reports from June 2010, through April 2011. Our review indicates no violations of the terms and conditions of your NPDES permit.

Philothea

In general, both operation and maintenance appeared good. Mr. Karafit indicated that the aerator would be placed in the second lagoon in the near future. The aerators in the first lagoon were not operating when we arrived. Mr. Karafit indicated that electrical issues at the plant cause them to be turned off from time to time and they must be manually reset. The lagoons were not discharging at the time of inspection. Usually the lagoons discharge once per year for less than a week. The log book for the plant was present at the plant. It appears that proper documentation was being maintained and that minimum staffing hours are being met.

We are in receipt of the discharge monitoring reports from June 2010, through April 2011. Our review indicates no violations of the terms and conditions of your NPDES permit.

Chapel Hill

This plant has been connected to the Chickasaw WWTP and was being demolished at the time of inspection. We will give this permit a no permit required (NPR) status in the near future. You will receive a letter once this has been completed. Please continue to submit your discharge monitoring reports until you receive this notification that the permit has been terminated.

We are in receipt of the discharge monitoring reports from June 2010 through April 2011. Our review indicated violations of the terms and conditions of your NPDES permit. The specific instances of noncompliance are listed below:

Violation Date	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value
2/1/2011	001	00530	Total Suspended Solids	30D Qty	0.91	1.25965
3/1/2011	001	00530	Total Suspended Solids	30D Qty	0.91	1.10901

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Montezuma Club Island

In general, both operation and maintenance appeared good. At the time of inspection, influent was coming into the second lagoon. Mr. Karafit indicated that influent is changed between lagoon one and lagoon two based on the strength of the incoming waste. When there is a lot of inflow and infiltration present in the influent, it is routed to the second lagoon. When the waste is higher strength it is routed to the first lagoon. We were not able to locate the operation and maintenance manual for this facility to determine if this is the appropriate way of running the treatment system. **Please submit to us within 30 days of receipt of this letter documentation from the operation and maintenance manual indicating that this is proper operation.** We are in receipt of the discharge monitoring reports from June 2010, through April 2011. Our review indicates no violations of the terms and conditions of your NPDES permit.

Northwood

During the meeting before the inspections you informed Ohio EPA representatives that the line between the pump station and the Northwood treatment plant had broken and that on May 25 a line had been installed directing the water from the pump station directly to the lake. When this action was taken three (3) homes were still tied to the sewer lines that flowed to the pump station. **By doing this you have created an unpermitted discharge to waters of the State. Chapter 6111, Ohio Revised Code and P.L. 92-500, State and Federal Law, respectively, require that all wastewater dischargers to Waters of the State apply for an NPDES permit for that discharge.** At the time of this letter, we have not been informed that the three (3) homes have been disconnected from this pump station or that the discharge has been eliminated. You indicated that only a small amount of sewage was flowing from these homes as two are not currently inhabited and one is a home only used on the weekend. Regardless of the amount of sewage being discharged it is illegal to create a discharge of pollutants to waters of the State without first receiving an NPDES permit for the discharge. In collection systems tributary to treatment facilities that have an NPDES permit these are considered sanitary sewer overflows, which are strictly prohibited.

Our office should have been contacted before the decision was made to route the pump station directly to the lake. Due to the proximity of the East Jefferson pump station, our preference would have been for the water to be diverted into that pump station until the three (3) remaining houses were removed; thereby, eliminating the discharge of sewage into the lake. Unfortunately, due to your lack of communication with this office and the current situation of the lake, we have no choice but to refer this incident for escalated enforcement action.

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You shall take immediate action to eliminate this discharge or to remove the remaining three (3) houses from the sewer system tributary to the discharging pump station. **Please submit written notification of either of these actions within 10 days of receipt of this letter.**

It was also indicated during this meeting that the home owner's association would like to maintain this pump station for storm water removal. To ensure that the discharge of pollutants has been eliminated we will require the following information to be submitted to our office:

- Sampling 2 times per month for three (3) months for the following parameters:
 - CBOD
 - Ammonia
 - E. Coli

These samples should be collected from the wet well during dry weather. Dry weather for this situation shall be defined as a period greater than two (2) days since the last precipitation event.

Please inform this office once the discharge from the Northwood facility has been eliminated, so that we can complete another inspection and give the permit an NPR status.

We are in receipt of the discharge monitoring reports from June 2010, through April 2011. Our review indicates violations of the terms and conditions of your NPDES permit. The specific instances of noncompliance are listed below:

Violation Date	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value
6/1/2010	001	00530	Total Suspended Solids	30D Qty	2.3	3.17259
6/1/2010	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.4	.66634
6/1/2010	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.6	.70098
6/8/2010	001	00530	Total Suspended Solids	7D Qty	3.4	5.11656
6/15/2010	001	00530	Total Suspended Solids	7D Qty	3.4	3.86751

Violation Date	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value
6/15/2010	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.6	.63169
11/22/2010	001	00530	Total Suspended Solids	7D Qty	3.4	3.67524
12/8/2010	001	00530	Total Suspended Solids	7D Qty	3.4	3.79938
2/1/2011	001	00530	Total Suspended Solids	30D Qty	2.3	3.50113
2/15/2011	001	00530	Total Suspended Solids	7D Qty	3.4	5.86145
2/15/2011	001	80082	CBOD 5 day	7D Qty	2.8	2.93073
2/22/2011	001	00530	Total Suspended Solids	7D Qty	3.4	7.28613
3/1/2011	001	00530	Total Suspended Solids	30D Qty	2.3	3.97236
3/1/2011	001	00530	Total Suspended Solids	7D Qty	3.4	5.07493
3/1/2011	001	80082	CBOD 5 day	30D Qty	2.0	2.09222
3/22/2011	001	00530	Total Suspended Solids	7D Qty	3.4	6.52156
4/1/2011	001	00530	Total Suspended Solids	30D Qty	2.3	3.44851
4/1/2011	001	00530	Total Suspended Solids	7D Qty	3.4	6.46478
4/15/2011	001	00530	Total Suspended Solids	7D Qty	3.4	3.66312

Country Time

The aeration tank had a healthy color and was receiving an adequate amount of air. The skimmer and return were both operating properly. The sand filters had solids and plant growth on them. Chlorination and dechlorination tablets were observed in the feeders. The effluent appeared clear.

We are in receipt of the discharge monitoring reports for March 2011 and April 2011. Our review indicates no violations of the terms and conditions of your NPDES permit.

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If you have any questions, please call Michelle Sharp at (419) 373-3019.

Sincerely,



Elizabeth A. Wick, P.E.
District Engineer
Division of Surface Water

/l/r

pc: DSW:NWDO:File →
Mr. Jared Ebbing, Mercer County Economic Development
Mr. Jerry Laffin, Mercer County Commissioners
Mr. Robert Nuding, Mercer County Commissioners
Mr. Jim Zehringer, Mercer County Commissioners

ec: Ms. Elizabeth Wick, Ohio EPA, NWDO
Ms. Darla Peelle, Ohio EPA, CO