



State of Ohio Environmental Protection Agency

Southwest District Office

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Cincinnati, Ohio 45402

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

June 29, 2009

Mr. Ed Bechtol
Chestnut MHP
715 Cincinnati-Batavia Pike
Cincinnati, Ohio 45245

**Re: Clermont Count, Chestnut Mobile Home Park, Notice of Violation
NPDES Permit # OH0105473; OEPA Permit # 1PV00085*CD**

Dear Mr. Bechtol:

This letter is in regards to violations of the NPDES permit for the above referenced facility.

On June 22, 2009 a call was placed to the Ohio Spill Hotline noting that a sewage bypass was occurring from the wastewater treatment plant at the facility resulting from no power. Power had been shut off due to lack of paying the utility bill. On June 25, 2009, Joshua Jackson and I visited the facility and noted power was still not restored, and the unauthorized bypass was still occurring. According to Duke Energy records, power was shut off to the wastewater treatment plant on June 17, and eventually restored on the afternoon of June 26, 2009.

The unauthorized bypass that occurred is a violation of the Ohio Revised Code 6111 and the NPDES Permit Part III, Item 11 which govern unauthorized discharges. The unauthorized bypass also violated the NPDES Permit Part III, Item II and the Ohio Administrative Code 3745-1-04 parts A, B and C which state the following: "The following general water quality criteria shall apply to all surface waters of the state including mixing zones. To every extent practical and possible as determined by the director, these waters shall be:

- (A) Free from suspended solids or other substances that enter the waters as a result of human activity and that will settle to form putrescent or otherwise objectionable sludge deposits, or that will adversely affect aquatic life;
- (B) Free from floating debris, oil, scum and other floating materials entering the waters as a result of human activity in amounts sufficient to be unsightly or cause degradation;
- (C) Free from materials entering the waters as a result of human activity producing color, odor or other conditions in such a degree as to create a nuisance".

Ohio EPA SWDO will be recommending enforcement action at the minimum for this unauthorized discharge as well as numerous Discharge Monitoring Reports that have

not been submitted (June 2008, July 2008, August 2008, September 2008, October 2008, November 2008, December 2008, April 2009 and May 2009).

If you should have any questions, feel free to contact me by phone at (937) 285-6028 or by electronic mail at michelle.waller@epa.state.oh.us.

Respectfully,

A handwritten signature in cursive script that reads "Michelle Waller".

Michelle Waller
Environmental Specialist II
Division of Surface Water

Cc: Robert Reckers, Winelco Inc.