



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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

September 8, 2009

RE: LAKE COUNTY
PERRY TOWNSHIP
MID-WEST MATERIALS INC.
NPDES PERMIT NO. 3PR00377
APPLICATION NO. OH0134660

NOTICE OF VIOLATION

Mr. Michael Alley, Chief Financial Officer
Mid-West Material Inc.
3687 Shepard Road
P.O. Box 345
Perry, Ohio 44081

Dear Mr. Alley:

On August 27, 2009, this writer conducted a compliance evaluation inspection of the wastewater treatment plant (WWTP) that serves the buildings. The purpose of the inspection was to evaluate the WWTP's operation and maintenance condition, and to evaluate the facility's compliance with National Pollutant Discharge Elimination System (NPDES) permit effluent limits. Mr. Scott McCabe, of the Maintenance Department, represented the company.

At the time of inspection, the plant was in operation. The following observations were noted:

- The mixed liquor content in the aeration tank was dark brown in color. The return sludge discharge was also dark brown in color.
- The settling tank content was turbid. An excessive amount of sludge was behind the baffles. Some sludge was blocking the effluent weir. The sludge blocking the weirs and behind the baffles should be removed. The skimmer was in operation, as required.
- The filter beds contain overflow stand pipes that were not approved by this agency. The pipes are covered with tight caps. The overflow stand pipes are not a part of the original design of the filter beds and must be immediately removed.
- The sand in the filter beds needs to be leveled. Assurance must be made that 18 inches of Ohio EPA approved filter sand exists in the beds. Approved filter sand has an effective size of 0.4 - 1.0 mm and a uniformity coefficient that does not exceed 3.0. The sand must be raked and evenly distributed across the surface area of the filter beds. Any used sand removed from the filter bed should be hauled to a public landfill.
- The chlorinator contained chlorine tablets and the de-chlorinator contained bisulfate tablets, as required.

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The above referenced items should be corrected immediately.

A review of the Discharge Monitoring Reports covering April 2008 to July 2009 revealed the following effluent limitation violations:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00530	Total Suspended Solids	30D Conc	12	32.	8/1/2008
001	00530	Total Suspended Solids	7D Conc	18	32.	8/15/2008
001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	25.76	8/1/2008
001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	25.76	8/8/2008

The average daily design flow of the wastewater treatment plant, 3200 gpd, continues to be reported on the discharge monitoring reports as the daily estimated flow. This practice must cease. As stated on Pages 2 and 3 of the NPDES permit, acceptable methods for estimating daily flows are, in order of preference: 1) elapsed time meters on sand filter dosing pumps; 2) elapsed time meters on influent pumps; 3) water use records.

Please inform this office, in writing within ten days of the date of this letter, the reasons for the above referenced violations and deficiencies, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

Should you have any questions, please contact the undersigned at (330) 963-1183.

Sincerely,



Marie Underwood, P.E.
Environmental Engineer
Division of Surface Water

MU/mt