



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

July 25, 2007

RE: RPM INTERNATIONAL, INC.
3PR00395*AD
BRUNSWICK HILLS TOWNSHIP
MEDINA COUNTY

NOTICE OF VIOLATION

Mr. Kenneth Armstrong
RPM International, Inc.
2628 Pearl Road
P.O. Box 777
Medina, OH 44258

Dear Mr. Armstrong:

This office has reviewed the Monthly Operating Report (MOR) data submitted by the RPM International, Inc. for the discharge from the wastewater treatment plant (WWTP) for the period December 1, 2005, to June 1, 2007. The National Pollutant Discharge Elimination System (NPDES) permit limit violations are summarized in Table 1. A discussion of the violations follows.

In a Notice of Violation dated August 3, 2006, this office noted that there were significant violations of the NPDES permit limits, and requested that RPM International conduct monthly sampling until the WWTP returns to compliance with the NPDES permit limits. RPM International agreed with the request, and has been reporting results monthly. As the data in Table 1 demonstrates, the WWTP has continued to be in noncompliance with NPDES permit limits. In fact, there have been violations of NPDES permit limits for CBOD₅, total suspended solids, or nitrogen ammonia every month since December 2006.

During the MOR data review, this office determined that the winter nitrogen, ammonia limits in the NPDES permit were calculated incorrectly. The limits in the permit are an order of magnitude too high. Ohio EPA will be revising the NPDES permit limits to the correct values of 0.017 kg/day monthly average, and 0.026 kg/day weekly average.

Hull and Associates, on behalf of RPM International, has been submitting Initial Pollution Incidence Reports to Ohio EPA Emergency Response for the NPDES permit limit violations, and has been submitting letters to this office discussing the NPDES violations. The letters have stated that the cause of the exceedances is unknown because the facility did not experience any upsets or unusual circumstances, and that organic debris accumulated on the chlorine contact tank grate may be the cause. Previous letters stated that the grate would be cleaned, and the June 26 Hull letter states that the "facility will try and clean again". Please provide information on what was done in the original cleaning, when it occurred, and future cleaning plans.

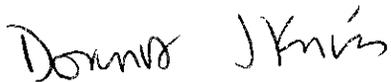
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The pattern of the NPDES limit violations indicate that the issue is not facility upsets or unusual circumstances, but is due to continued operational problems. The operation of the WWTP must be evaluated to ensure it is operating properly until connected to sanitary sewers.

In accordance with the 208 Water Quality Management Plan, RPM is in the area to be serviced in the next 20 years when sewers become available. Amy Lyon-Galvin, Medina County Sanitary Engineers, indicated that sanitary sewers have been constructed for this property and should be available in approximately one month. Therefore, RPM shall initiate planning and construction of the sanitary lateral connection to be completed within 120 days of sewer availability.

Please respond to this letter, including a response to the NPDES permit violations, within 30 days of the receipt of this letter. Please note that violations of the NPDES permit are subject to enforcement pursuant to the Ohio Revised Code Chapter 6111. If you have any questions or comments, please contact me at (330) 963-1285. I can also be reached via e-mail at donna.kniss@epa.state.oh.us.

Sincerely,



Donna J. Kniss
Environmental Engineer
Division of Surface Water

DJK/mt

attachment

cc: Karen Okonta, Hull and Associates, Inc.
Amy Lyon-Galvin, Medina County Sanitary Engineers

File: Semi-public/Medina County/Brunswick Hills Township

Table 1 – NPDES Permit Limit Violations

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2006	Nitrogen, Ammonia (NH3)	30D Conc	3	14	3/1/2006
March 2006	Nitrogen, Ammonia (NH3)	7D Conc	4.5	14	3/1/2006
June 2006	CBOD 5 day	30D Conc	10	27	6/1/2006
June 2006	CBOD 5 day	7D Conc	15	27	6/15/2006
June 2006	CBOD 5 day	30D Qty	0.057	.16116	6/1/2006
June 2006	CBOD 5 day	7D Qty	0.085	.16116	6/15/2006
June 2006	Dissolved Oxygen	1D Conc	6	3.7	6/21/2006
June 2006	Nitrogen, Ammonia (NH3)	30D Conc	1	5.1	6/1/2006
June 2006	Nitrogen, Ammonia (NH3)	7D Conc	1.5	5.1	6/15/2006
June 2006	Nitrogen, Ammonia (NH3)	30D Qty	0.006	.03044	6/1/2006
June 2006	Nitrogen, Ammonia (NH3)	7D Qty	0.009	.03044	6/15/2006
June 2006	Total Suspended Solids	30D Conc	12	59	6/1/2006
June 2006	Total Suspended Solids	7D Conc	18	59	6/15/2006
June 2006	Total Suspended Solids	30D Qty	0.068	.35217	6/1/2006
June 2006	Total Suspended Solids	7D Qty	0.102	.35217	6/15/2006
September 2006	Dissolved Oxygen	1D Conc	6	5.1	9/27/2006
September 2006	Total Suspended Solids	30D Conc	12	64	9/1/2006
September 2006	Total Suspended Solids	7D Conc	18	64	9/22/2006
September 2006	Total Suspended Solids	30D Qty	0.068	0.17209	9/1/2006
September 2006	Total Suspended Solids	7D Qty	0.102	0.17209	9/22/2006
October 2006	Total Suspended Solids	30D Conc	12	16	10/27/2006
November 2006	pH	1D Conc	6.5	6	11/3/2006
November 2006	Dissolved Oxygen	1D Conc	6	5.8	11/17/2006
December 2006	Dissolved Oxygen	1D Conc	6	5.8	12/1/2006
December 2006	Nitrogen, Ammonia (NH3)	30D Conc	3	4.39	12/6/2006
December 2006	Total Suspended Solids	30D Conc	12	129	12/1/2006
December 2006	Total Suspended Solids	7D Conc	18	129	12/1/2006
December 2006	Total Suspended Solids	30D Qty	0.068	.7031	12/1/2006
December 2006	Total Suspended Solids	7D Qty	0.102	.7031	12/1/2006
December 2006	pH	1D Conc	6.5	6.39	12/29/2006
January 2007	Dissolved Oxygen	1D Conc	6	5.7	1/5/2007
January 2007	Dissolved Oxygen	1D Conc	6	2.75	1/8/2007
January 2007	Nitrogen, Ammonia (NH3)	30D Conc	3	6.4	1/8/2007
January 2007	Nitrogen, Ammonia (NH3)	7D Conc	4.5	6.4	1/8/2007
January 2007	Total Suspended Solids	30D Conc	12	19.1	1/8/2007
January 2007	Total Suspended Solids	7D Conc	18	19.1	1/8/2007
January 2007	Dissolved Oxygen	1D Conc	6	3.6	1/19/2007
February 2007	Nitrogen, Ammonia (NH3)	30D Conc	3	3.19	2/2/2007
February 2007	Dissolved Oxygen	1D Conc	6	4.7	2/16/2007
March 2007	Nitrogen, Ammonia (NH3)	30D Conc	3	5.72	3/1/2007
March 2007	Nitrogen, Ammonia (NH3)	7D Conc	4.5	5.72	3/1/2007
March 2007	Total Suspended Solids	30D Conc	12	27.8	3/1/2007
March 2007	Total Suspended Solids	7D Conc	18	27.8	3/1/2007
March 2007	Total Suspended Solids	30D Qty	0.068	.20455	3/1/2007
March 2007	Total Suspended Solids	7D Qty	0.102	.20455	3/1/2007
March 2007	Dissolved Oxygen	1D Conc	6	5.6	3/2/2007

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2007	Dissolved Oxygen	1D Conc	6	1	3/8/2007
March 2007	Dissolved Oxygen	1D Conc	6	5.4	3/16/2007
March 2007	Dissolved Oxygen	1D Conc	6	4.89	3/22/2007
April 2007	Nitrogen, Ammonia (NH3)	30D Conc	3	8.04	4/1/2007
April 2007	Nitrogen, Ammonia (NH3)	7D Qty	4.5	8.04	4/1/2007
April 2007	Total Suspended Solids	30D Conc	12	312	4/1/2007
April 2007	Total Suspended Solids	7D Conc	18	312	4/1/2007
April 2007	Total Suspended Solids	30D Qty	0.068	0.64833	4/1/2007
April 2007	Total Suspended Solids	7D Qty	0.102	0.64833	4/1/2007
April 2007	Dissolved Oxygen	1D Conc	6	5.43	4/27/2007
May 2007	Chlorine, Total Residual	1D Conc	0.019	0.54	5/3/2007
May 2007	Dissolved Oxygen	1D Conc	6	5.83	5/3/2007
May 2007	Nitrogen, Ammonia (NH3)	30D Conc	1	1.62	5/3/2007
May 2007	Nitrogen, Ammonia (NH3)	7D Conc	1.5	1.62	5/3/2007
May 2007	Total Suspended Solids	30D Conc	12	27.1	5/3/2007
May 2007	Total Suspended Solids	7D Conc	18	27.1	5/3/2007
May 2007	Dissolved Oxygen	1D Conc	6	4.16	5/11/2007
May 2007	Dissolved Oxygen	1D Conc	6	5.65	5/25/2007