



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 24, 2007

RE: TRUMBULL COUNTY
MECCA TOWNSHIP
CORTLAND MOOSE LODGE
NPDES PERMIT NO. OH0133302
OHIO EPA PERMIT NO. 3PR00340

Mr. William Bartholomew, Administrator
Cortland Moose Lodge 1012
6400 State Route 46
Cortland, OH 44410

Dear Mr. Bartholomew:

An inspection was conducted by the undersigned of the sanitary wastewater treatment plant serving the above referenced facility on August 23, 2007. 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.

First and foremost, Agency records indicate that the referenced NPDES permit expires on February 29, 2008. Pursuant to the permit conditions, **"in order to receive authorization to discharge beyond"** the expiration date, a permit renewal application must be submitted no later than 180 days prior to the date of expiration. Our records indicate that the renewal application packet was received by the facility on May 3, 2007. To date, the application has not been submitted to the Agency. Please be advised that failure to submit a timely application may result in appropriate enforcement actions by this Agency.

Inspection Findings/Compliance Status

The current treatment system consists of a trash trap, extended aeration activated sludge "package" plant, final settling tank, slow surface sand filtration, chlorination, and final polishing pond. The facility discharges to a tributary of Mosquito Creek Reservoir.

At the time of the inspection, the operation and maintenance of the treatment system were unsatisfactory. The blowers were off. Hence, there was no active treatment taking place in the aeration tank.

A review of the facility's monthly operating reports (MORs) received by Ohio EPA for the period January 2006 through August 2007 indicate violations of the terms and conditions of the NPDES permit. Specifically, the review noted the following violations of the numeric effluent limitations contained in the permit:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2006	602	Dissolved Oxygen	1D Conc	6.0	5.8	6/6/2006
August 2006	602	Dissolved Oxygen	1D Conc	6.0	3.6	8/6/2006
December 2006	602	Dissolved Oxygen	1D Conc	6.0	3.4	12/13/2006
March 2007	602	Dissolved Oxygen	1D Conc	6.0	4.4	3/8/2007
August 2007	602	Dissolved Oxygen	1D Conc	6.0	5.7	8/2/2007

In addition to the above, our review of the facility's data reporting procedures noted the following:

1. The NPDES permit requires that flow rates be **estimated** and reported.
2. No flow or sampling data has been reported for Outfall 001 since issuance of the NPDES permit. It is highly unlikely that there has been **zero** discharge to "waters of the State" since 2003.
3. We understand that Valley Environmental has been routinely submitting monthly operating reports for the facility. Pursuant to Part III of the NPDES permit, all reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22. As such, reports for companies can only be signed and certified by a corporate officer, general partner, proprietor, or by a duly authorized representative of said individual. Pursuant to 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.***
4. Pursuant to Ohio Administrative Code (OAC) 3745-7- 02, you are required to have a contract with your certified operator. At a minimum, the contract shall

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specify that the certified operator be available to respond to emergencies and provide the daily services (i.e., **inspection, monitoring, maintenance, and supervision**) necessary to maintain the reliable operation of the wastewater works. Signatory authority required pursuant to 40 CFR 122.22 (b) may be addressed under the terms of the contract for submission of Monthly Operating Reports. A copy of the signed contract must be submitted to this office.

Summary/Conclusion

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

Should you have any questions or comments regarding this letter, please contact this office.

Respectfully,



Ermelindo Gomes
Environmental Engineer
Division of Surface Water

EG/mt

cc: Steve Kramer, Trumbull County Health Department