



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

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

June 19, 2009

RE: TRUMBULL COUNTY  
BROOKFIELD TOWNSHIP  
BROOKFIELD ACRES MOBILE HOME PARK  
NPDES PERMIT NO. OH0101362  
OHIO EPA PERMIT NO. 3PV00056

Mr. David Hale, Regional Manager  
RHP Properties  
31200 Northwestern Hwy  
Farmington Hills, MI 48334

Dear Mr. Hale:

On May 22, 2009, an inspection was conducted at the above referenced facility by the undersigned. The facility was represented by Mr. Dale Appis, Community Manager. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the NPDES permit.

**Inspection Findings/Compliance Status**

The wet-stream treatment components consist of preliminary treatment (trash trap), flow equalization basin, 65,000 gpd extended aeration activated sludge treatment process, final settling tank, tertiary sand filtration, and UV disinfection. Sludge handling consists of an aerated sludge holding tank.

The inspection noted that significant progress had been made in returning the plant to an acceptable level of performance. The effluent being discharged at the UV chamber was visually clear.

A review of the monthly operating reports received by Ohio EPA for the period, June 2007 - April 2009, indicates violations of the terms and conditions contained in the NPDES permit. The specific instances of noncompliance are as follows:

EFFLUENT LIMITATION VIOLATIONS (6/2007 – 5/2009)						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2008	001	Total Suspended Solids	30D Conc	12	13.	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3)	30D Conc	2.0	22.3	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	22.3	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3)	30D Qty	0.5	2.53	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3)	7D Qty	0.7	2.53	6/1/2008
May 2008	001	Total Suspended Solids	30D Conc	12	20.	5/1/2008
May 2008	001	Total Suspended Solids	7D Conc	18	24.	5/15/2008
January 2008	001	Total Suspended Solids	7D Conc	18	28.	1/15/2008
February 2009	001	Total Suspended Solids	1D Conc	18	26.	2/3/2009

Mr. David Hale  
 Brookfield Acres Mobile Home Park  
 June 19, 2009  
 Page 2

EFFLUENT LIMITATION VIOLATIONS (6/2007 - 5/2009)						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
February 2009	001	Total Suspended Solids	1D Conc	18	38.	2/10/2009
February 2009	001	Total Suspended Solids	30D Conc	12	12.8571	2/1/2009

MONITORING/REPORTING VIOLATIONS (6/2007 - 5/2009)						
Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
April 2007	<b>NO DMR SUBMITTED</b>					
June 2007	001	Total Suspended Solids	1/Week	1	0	06/15/2007
June 2007	001	CBOD 5 day	1/Week	1	0	06/15/2007
June 2007	001	pH	1/Week	1	0	06/15/2007
June 2007	001	Dissolved Oxygen	1/Week	1	0	06/15/2007
May 2008	001	Total Suspended Solids	1/Week	1	0	05/08/2008
May 2008	001	CBOD 5 day	1/Week	1	0	05/08/2008
June 2008	001	Total Suspended Solids	1/Week	1	0	06/08/2008
June 2008	001	CBOD 5 day	1/Week	1	0	06/08/2008
June 2008	001	Total Suspended Solids	1/Week	1	0	06/15/2008
June 2008	001	Nitrogen, Ammonia (NH3)	1/2Weeks	1	0	06/15/2008
June 2008	001	CBOD 5 day	1/Week	1	0	06/15/2008
June 2008	001	Total Suspended Solids	1/Week	1	0	06/22/2008
June 2008	001	CBOD 5 day	1/Week	1	0	06/22/2008
July 2008	001	Total Suspended Solids	1/Week	1	0	07/08/2008
July 2008	001	CBOD 5 day	1/Week	1	0	07/08/2008
February 2009	001	Flow Rate	1/Day	1	0	02/01/2009
February 2009	001	Flow Rate	1/Day	1	0	02/02/2009
February 2009	001	Flow Rate	1/Day	1	0	02/03/2009
February 2009	001	Flow Rate	1/Day	1	0	02/04/2009
February 2009	001	Flow Rate	1/Day	1	0	02/05/2009
February 2009	001	Flow Rate	1/Day	1	0	02/06/2009
February 2009	001	Flow Rate	1/Day	1	0	02/07/2009
February 2009	001	Flow Rate	1/Day	1	0	02/08/2009
February 2009	001	Flow Rate	1/Day	1	0	02/09/2009
February 2009	001	Flow Rate	1/Day	1	0	02/10/2009
February 2009	001	Flow Rate	1/Day	1	0	02/11/2009
February 2009	001	Flow Rate	1/Day	1	0	02/12/2009
February 2009	001	Flow Rate	1/Day	1	0	02/13/2009
February 2009	001	Flow Rate	1/Day	1	0	02/14/2009
February 2009	001	Flow Rate	1/Day	1	0	02/15/2009
February 2009	001	Flow Rate	1/Day	1	0	02/16/2009
February 2009	001	Flow Rate	1/Day	1	0	02/17/2009
February 2009	001	Flow Rate	1/Day	1	0	02/18/2009
February 2009	001	Flow Rate	1/Day	1	0	02/19/2009
February 2009	001	Flow Rate	1/Day	1	0	02/20/2009
February 2009	001	Flow Rate	1/Day	1	0	02/21/2009

MONITORING/REPORTING VIOLATIONS (6/2007 -- 5/2009)						
Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
February 2009	001	Flow Rate	1/Day	1	0	02/22/2009
February 2009	001	Flow Rate	1/Day	1	0	02/23/2009
February 2009	001	Flow Rate	1/Day	1	0	02/24/2009
February 2009	001	Flow Rate	1/Day	1	0	02/25/2009
February 2009	001	Flow Rate	1/Day	1	0	02/26/2009
February 2009	001	Flow Rate	1/Day	1	0	02/27/2009
February 2009	001	Flow Rate	1/Day	1	0	02/28/2009
March 2009	001	Total Suspended Solids	1/Week	1	0	03/01/2009
March 2009	001	Flow Rate	1/Day	1	0	03/01/2009
March 2009	001	CBOD 5 day	1/Week	1	0	03/01/2009
March 2009	001	pH	1/Week	1	0	03/01/2009
March 2009	001	Dissolved Oxygen	1/Week	1	0	03/01/2009
March 2009	001	Flow Rate	1/Day	1	0	03/02/2009
March 2009	001	Flow Rate	1/Day	1	0	03/03/2009
March 2009	001	Flow Rate	1/Day	1	0	03/04/2009
March 2009	001	Flow Rate	1/Day	1	0	03/05/2009
March 2009	001	Flow Rate	1/Day	1	0	03/06/2009
March 2009	001	Flow Rate	1/Day	1	0	03/07/2009
March 2009	001	Flow Rate	1/Day	1	0	03/08/2009
March 2009	001	pH	1/Week	1	0	03/08/2009
March 2009	001	Dissolved Oxygen	1/Week	1	0	03/08/2009
March 2009	001	Flow Rate	1/Day	1	0	03/09/2009
March 2009	001	Flow Rate	1/Day	1	0	03/10/2009
March 2009	001	Flow Rate	1/Day	1	0	03/11/2009
March 2009	001	Flow Rate	1/Day	1	0	03/12/2009
March 2009	001	Flow Rate	1/Day	1	0	03/13/2009
March 2009	001	Flow Rate	1/Day	1	0	03/14/2009
March 2009	001	Flow Rate	1/Day	1	0	03/15/2009
March 2009	001	pH	1/Week	1	0	03/15/2009
March 2009	001	Dissolved Oxygen	1/Week	1	0	03/15/2009
March 2009	001	Flow Rate	1/Day	1	0	03/16/2009
March 2009	001	pH	1/Week	1	0	03/22/2009
March 2009	001	Dissolved Oxygen	1/Week	1	0	03/22/2009
April 2009	001	Water Temperature	1/Day	1	0	04/17/2009

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

- We understand that the facility currently employs B&J Environmental, Inc. for operational oversight of the treatment system. However, our review of the facility's data reporting procedures noted that Ms. Lisa Feigle, of Gauga County Laboratory, continues to submit and certify the discharge monitoring reports (DMRs) for the facility using the electronic DMR (e-DMR) Internet

Mr. David Hale  
Brookfield Acres Mobile Home Park  
June 19, 2009  
Page 4

application. While e-DMR allows permitted facilities to enter, sign, and submit DMRs on the Internet, federal and state regulations specify who can legally sign and certify the reports. Pursuant to Part III of the NPDES permit, DMRs can only be signed and certified by a facility's responsible official, i.e. corporate officer, or by a duly authorized representative of said official. Pursuant to Title 40 Code of Federal Regulations (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.***

Based on the above requirements, Ms. Feigle **cannot** sign and certify the DMRs.

- The person authorized to sign and submit DMRs for the facility will need to obtain an Ohio eBusiness Center account and Personal Identification Number (PIN). e-DMR is accessible via the Ohio EPA eBusiness Center. The eBusiness Center is found on the following web page:

<https://ebiz.epa.ohio.gov>

The PIN is the electronic signature of the responsible or delegated facility official. A facility can also have individuals, e.g. laboratory analyst(s), with the privilege to view, create and edit DMRS...but not submit eDMR data. These individuals must have an eBusiness Center account, but do not need a PIN. Since they do not have the privilege of actually submitting the data, the law does not require them to have a PIN (they actually aren't "signing" anything since they don't submit the data). These users are delegated access to the reports by the PIN holder. Once these users perform the data entry or review the data, the DMR is saved and the PIN holder can log on and submit the DMR.

- Ohio Administrative Code (OAC) 3745-7 requires that you have an up-to-date contract with your certified operator. At a minimum, the contract shall specify that the certified operator be available to respond to emergencies and provide the onsite services (i.e. **inspection, monitoring, maintenance, and**

Mr. David Hale  
Brookfield Acres Mobile Home Park  
June 19, 2009  
Page 5

**supervision**) necessary to maintain the reliable operation of the wastewater works. If applicable, the signatory authority required pursuant to 40 CFR 122.22 (b) must be addressed under the terms of the contract for submission of DMRs.

- Standard operating procedures for sample collection, storage, transport, and reporting must be documented. In addition, written procedures **shall be** developed for all analyses **required** to be performed onsite, e.g. pH, DO, etc. Calibration and maintenance records must be maintained for the analytical instrumentation.
- The facility shall ensure that detailed analytical reports, including a complete chain of custody record, are received from the laboratory.

**Summary/Conclusion**

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 referenced violations and/or deficiencies. Please be advised that past or current acts of noncompliance can continue as subjects of future enforcement actions.

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: Dale Appis, Brookfield Acres Mobile Home Park  
Josh Goodridge, B&J Environmental, Inc.