



State of Ohio Environmental Protection Agency

Northeast District Office

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

December 12, 2008

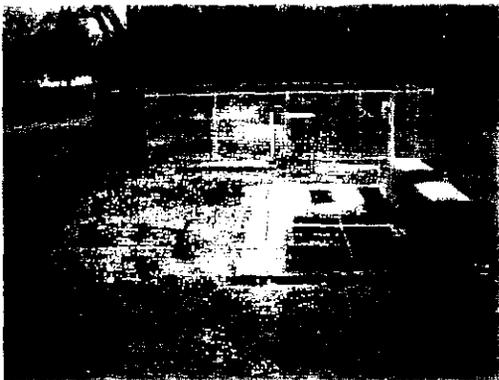
RE: TRUMBULL COUNTY
MECCA TOWNSHIP
JAK'S FINE FOODS
NPDES PERMIT NO. OH0137049
OHIO EPA PERMIT NO. 3PR00411

Mr. Kevin Cook, Owner
Jak's Fine Foods
2323 Greenville Road
Cortland, Ohio 44410

Dear Mr. Cook:

On November 13, 2008, an inspection was conducted of the sanitary wastewater treatment plant serving the above referenced facility. The facility was represented by Ms. Jennifer Simmons, Supervisor. 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.

The current treatment system consists of a trash trap, 2,462 gpd extended aeration activated sludge "package" plant, final settling tank, scum tank, slow surface sand filtration, and chlorination/dechlorination system. The facility discharges to Mosquito Creek Reservoir.



At the time of the inspection, the treatment components appeared to be in satisfactory condition. As evidenced in the above picture, the effluent discharge to the receiving stream appeared to be of satisfactory visual quality.

During the inspection, I informed Ms. Simmons that a **Limited** Class A certificate is available for owners/operators of existing small wastewater treatment works. This limited certificate is site specific and is not transferable. The certification allows

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individuals, i.e. facility owner(s) and/or employee(s), with documented operating experience with their wastewater treatment works to serve as the Operator of Record for the facility. To qualify for limited certification, the operator must have been designated by the owner of the Class A wastewater treatment works to make decisions regarding the daily operational activities of the system for a period of at least twelve (12) months prior to the date the complete application is postmarked. Owners/operators meeting the eligibility requirements contained in Ohio Administrative Code (OAC) 3745-7-08 **must apply** for the certificate **by no later than December 21, 2008**. After this date, owners/operators seeking a Class A certificate will be required to pass an examination. The application is available online at:

http://www.epa.state.oh.us/ddagwDocuments/opcert/Limited_ClassA_Certification.pdf

A review of the facility's monthly Discharge Monitoring Reports (DMRs) received by Ohio EPA for the period September 2007 through November 2008 indicates the following violations of the effluent limitations contained in the NPDES permit:

Jak's Fine Foods (3PR00411): 9/2007 – 11/2008						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2008	001	Dissolved Oxygen	1D Conc	6.0	3.1	6/10/2008

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

- The NPDES permit requires that flow rates be **estimated** and reported. The facility consistently reports a flow rate 2462 gpd for Outfall 001. The flow should be estimated using accepted engineering practices.
- We understand that Valley Environmental is currently submitting the electronic DMRs (eDMRs) for the facility. Pursuant to Part III, Item 28 of your NPDES permit, "all reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22". 40 CFR 122.22 (a) states that reports for corporations can only be signed and certified by a responsible corporate officer or by a duly authorized representative of said individual. Delegations of authority must be made in writing to the Director of Ohio EPA.

Ohio EPA has recently revised the electronic data reporting process, including the assignment of Personal Identification Numbers (PINs), to comply with new federal regulations. Information regarding this new process is available at:

<http://www.epa.state.oh.us/dsw/swims/eDMR/eDMR.html>

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- Pursuant to the new recordkeeping requirements contained in Ohio Administrative Code (OAC) 3745-7-09, specific operation and maintenance records of the treatment system must now be kept on file at the facility. The complete Operator Certification rules are available online at:

<http://www.epa.state.oh.us/ddagw/oac.html>.

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: Richard Curl, Trumbull County Health Department