



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

July 22, 2009

RE: TRUMBULL COUNTY
VERNON TOWNSHIP
ROCK OF GRACE
NPDES PERMIT NO. OH0140309
OHIO EPA PERMIT NO. 3PR00462

Pastor Mark Biel
Rock of Grace Family Ministries
6745 State Route 5
Kinsman, OH 44446

Dear Pastor Biel:

On June 24, 2009, an inspection was conducted of the wastewater treatment system at the above referenced facility by Mr. Richard Curl of the Trumbull County Health Department and the undersigned. The facility was represented by Messrs. Ed Kuzmick and Scott Mascioli. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the NPDES permit. Specifically, the inspection was conducted to determine the installation status of treatment system improvements which were required to have been completed by August 1, 2008.

The inspection noted that construction of the improvements had been initiated. However, it was determined that the design engineer had not been to the site to (1) confirm initial staking and grading and (2) oversee installation of the improvements. Mr. Kuzmick was advised that the improvements could not be completed until such time as the installed components were verified by the design engineer

A review of the facility's discharge monitoring reports (DMRs) received by Ohio EPA for the period July 2008 through July 2009 indicates violations of the terms and conditions contained in the NPDES permit. The specific instances of noncompliance are as follows:

Rock of Grace Church (3PR00462)						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
August 2008	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	4.7	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3)	30D Qty	0.0133	.06226	8/1/2008
August 2008	001	Fecal Coliform	30D Conc	1000	1600.	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3)	1D Conc	1.5	4.7	8/14/2008
August 2008	001	Nitrogen, Ammonia (NH3)	1D Qty	0.0199	.06226	8/14/2008
June 2009	001	Chlorine, Total Residual	1D Conc	0.019	.06	6/22/2009

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

- We understand that the facility currently employs Mr. Mascioli for operational oversight of the treatment system. However, our review of the facility's data reporting procedures noted that Ms. Wendy Hanna, Cardinal Environmental Laboratories, continues to submit and certify the discharge monitoring reports (DMRs) for the facility using the electronic DMR (e-DMR) Internet 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. Hanna **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

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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 a 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 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.

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: Trumbull County Health Dept.

File: Semipublic/Trumbull County/Vernon Twp./Rock of Grace