



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 21, 2011

RE: TRUMBULL COUNTY
VIENNA TOWNSHIP
BAULDAUF 4-PLEX APARTMENTS
1587 WARNER ROAD
NPDES PERMIT NO. OH0131415
OHIO EPA PERMIT NO. 3PW00031*AD

Mr. Philip Baldauf
3691 Hughstowne Drive
Akron, Ohio 44333

Dear Mr. Baldauf:

On March 9, 2011, an inspection of the above referenced wastewater treatment plant was conducted by Mr. Richard Curl of the Trumbull County Health Department and the undersigned. The purpose of the inspection was to evaluate the operational performance of the treatment system and determine the facility's overall compliance with its National Pollutant Discharge Elimination System (NPDES) permit.

Treatment system components consist of a 2,000-gallon dual compartment trash trap, 2,000-gallon recirculation tank, re-circulating sand filter, and UV disinfection. At the time of the inspection, all treatment units appeared to be in operation. Effluent appeared to be of satisfactory visual quality.

During the inspection, the following observations and/or deficiencies were noted:

1. There was no visit/maintenance log book on site. Bound and numbered log books should be kept on site as a means to record all site visits by maintenance and operating personnel. Any and all work or maintenance done at the plant should be recorded in these log books, along with the times of arrival and departure.
2. Animal burrows were observed along the perimeter of the re-circulating sand filter. These should be filled in to prevent possible structural failure of the filter.
3. Some of the handles on the access lids to the trash trap and recirculation tank were broken off. These should be replaced.

A review of the facility's Discharge Monitoring Reports (DMRs) received by Ohio EPA for the months of January 2009 – March 2011 indicate violations of the terms and conditions of the NPDES permit. The specific instances of non-compliance include:

Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
August 2009	001	00300	Dissolved Oxygen	1D Conc	6.0	1.8	8/4/2009
June 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.04	6/1/2010
March 2009	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	27.9	3/1/2009
March 2009	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	27.9	3/1/2009

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

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Trumbull, Vienna Township

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Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2009	001	80082	CBOD 5 day	30D Conc	10	49.	3/1/2009
March 2009	001	80082	CBOD 5 day	7D Conc	15	49.	3/1/2009
June 2009	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.96	6/1/2009
June 2009	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	1.96	6/1/2009
June 2009	001	00300	Dissolved Oxygen	1D Conc	6.0	5.1	6/3/2009

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
January 2009	001	00010	Water Temperature	1/Week	1	0	01/01/2009
January 2009	001	00083	Color, Severity	1/Week	1	0	01/01/2009
January 2009	001	01330	Odor, Severity	1/Week	1	0	01/01/2009
January 2009	001	01350	Turbidity, Severity	1/Week	1	0	01/01/2009
January 2009	001	00010	Water Temperature	1/Week	1	0	01/08/2009
January 2009	001	00083	Color, Severity	1/Week	1	0	01/08/2009
January 2009	001	01330	Odor, Severity	1/Week	1	0	01/08/2009
January 2009	001	01350	Turbidity, Severity	1/Week	1	0	01/08/2009
January 2009	001	00010	Water Temperature	1/Week	1	0	01/15/2009
January 2009	001	00083	Color, Severity	1/Week	1	0	01/15/2009
January 2009	001	01330	Odor, Severity	1/Week	1	0	01/15/2009
January 2009	001	01350	Turbidity, Severity	1/Week	1	0	01/15/2009
January 2009	001	00010	Water Temperature	1/Week	1	0	01/22/2009
January 2009	001	00083	Color, Severity	1/Week	1	0	01/22/2009
January 2009	001	01330	Odor, Severity	1/Week	1	0	01/22/2009
January 2009	001	01350	Turbidity, Severity	1/Week	1	0	01/22/2009
February 2009	001	00010	Water Temperature	1/Week	1	0	02/01/2009
February 2009	001	00083	Color, Severity	1/Week	1	0	02/01/2009
February 2009	001	01330	Odor, Severity	1/Week	1	0	02/01/2009
February 2009	001	01350	Turbidity, Severity	1/Week	1	0	02/01/2009
February 2009	001	00010	Water Temperature	1/Week	1	0	02/08/2009
February 2009	001	00083	Color, Severity	1/Week	1	0	02/08/2009
February 2009	001	01330	Odor, Severity	1/Week	1	0	02/08/2009
February 2009	001	01350	Turbidity, Severity	1/Week	1	0	02/08/2009
February 2009	001	00010	Water Temperature	1/Week	1	0	02/15/2009
February 2009	001	00083	Color, Severity	1/Week	1	0	02/15/2009
February 2009	001	01330	Odor, Severity	1/Week	1	0	02/15/2009
February 2009	001	01350	Turbidity, Severity	1/Week	1	0	02/15/2009
February 2009	001	00010	Water Temperature	1/Week	1	0	02/22/2009
February 2009	001	00083	Color, Severity	1/Week	1	0	02/22/2009
February 2009	001	01330	Odor, Severity	1/Week	1	0	02/22/2009
February 2009	001	01350	Turbidity, Severity	1/Week	1	0	02/22/2009
March 2009	001	00010	Water Temperature	1/Week	1	0	03/08/2009
March 2009	001	00083	Color, Severity	1/Week	1	0	03/08/2009

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Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/08/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/08/2009
March 2009	001	00010	Water Temperature	1/Week	1	0	03/15/2009
March 2009	001	00083	Color, Severity	1/Week	1	0	03/15/2009
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/15/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/15/2009
March 2009	001	00010	Water Temperature	1/Week	1	0	03/22/2009
March 2009	001	00083	Color, Severity	1/Week	1	0	03/22/2009
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/22/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/22/2009
April 2009	001	00010	Water Temperature	1/Week	1	0	04/01/2009
April 2009	001	00083	Color, Severity	1/Week	1	0	04/01/2009
April 2009	001	01330	Odor, Severity	1/Week	1	0	04/01/2009
April 2009	001	01350	Turbidity, Severity	1/Week	1	0	04/01/2009
April 2009	001	00010	Water Temperature	1/Week	1	0	04/08/2009
April 2009	001	00083	Color, Severity	1/Week	1	0	04/08/2009
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April 2009	001	01330	Odor, Severity	1/Week	1	0	04/22/2009
April 2009	001	01350	Turbidity, Severity	1/Week	1	0	04/22/2009
May 2009	001	00010	Water Temperature	1/Week	1	0	05/01/2009
May 2009	001	00083	Color, Severity	1/Week	1	0	05/01/2009
May 2009	001	01330	Odor, Severity	1/Week	1	0	05/01/2009
May 2009	001	01350	Turbidity, Severity	1/Week	1	0	05/01/2009
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May 2009	001	00083	Color, Severity	1/Week	1	0	05/22/2009
May 2009	001	01330	Odor, Severity	1/Week	1	0	05/22/2009
May 2009	001	01350	Turbidity, Severity	1/Week	1	0	05/22/2009
June 2009	001	00010	Water Temperature	1/Week	1	0	06/08/2009

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
June 2009	001	00083	Color, Severity	1/Week	1	0	06/08/2009
June 2009	001	01330	Odor, Severity	1/Week	1	0	06/08/2009
June 2009	001	01350	Turbidity, Severity	1/Week	1	0	06/08/2009
June 2009	001	00010	Water Temperature	1/Week	1	0	06/15/2009
June 2009	001	00083	Color, Severity	1/Week	1	0	06/15/2009
June 2009	001	01330	Odor, Severity	1/Week	1	0	06/15/2009
June 2009	001	01350	Turbidity, Severity	1/Week	1	0	06/15/2009
June 2009	001	00010	Water Temperature	1/Week	1	0	06/22/2009
June 2009	001	00083	Color, Severity	1/Week	1	0	06/22/2009
June 2009	001	01330	Odor, Severity	1/Week	1	0	06/22/2009
June 2009	001	01350	Turbidity, Severity	1/Week	1	0	06/22/2009
July 2009	001	00010	Water Temperature	1/Week	1	0	07/01/2009
July 2009	001	00083	Color, Severity	1/Week	1	0	07/01/2009
July 2009	001	01330	Odor, Severity	1/Week	1	0	07/01/2009
July 2009	001	01350	Turbidity, Severity	1/Week	1	0	07/01/2009
July 2009	001	00010	Water Temperature	1/Week	1	0	07/08/2009
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July 2009	001	01350	Turbidity, Severity	1/Week	1	0	07/22/2009
August 2009	001	00010	Water Temperature	1/Week	1	0	08/08/2009
August 2009	001	00083	Color, Severity	1/Week	1	0	08/08/2009
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August 2009	001	01350	Turbidity, Severity	1/Week	1	0	08/22/2009
September 2009	001	00010	Water Temperature	1/Week	1	0	09/01/2009
September 2009	001	00083	Color, Severity	1/Week	1	0	09/01/2009
September 2009	001	01330	Odor, Severity	1/Week	1	0	09/01/2009
September 2009	001	01350	Turbidity, Severity	1/Week	1	0	09/01/2009

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
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September 2009	001	00083	Color, Severity	1/Week	1	0	09/08/2009
September 2009	001	01330	Odor, Severity	1/Week	1	0	09/08/2009
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September 2009	001	01350	Turbidity, Severity	1/Week	1	0	09/22/2009
October 2009	001	00010	Water Temperature	1/Week	1	0	10/01/2009
October 2009	001	00083	Color, Severity	1/Week	1	0	10/01/2009
October 2009	001	01330	Odor, Severity	1/Week	1	0	10/01/2009
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October 2009	001	01330	Odor, Severity	1/Week	1	0	10/08/2009
October 2009	001	01350	Turbidity, Severity	1/Week	1	0	10/08/2009
October 2009	001	00010	Water Temperature	1/Week	1	0	10/15/2009
October 2009	001	00083	Color, Severity	1/Week	1	0	10/15/2009
October 2009	001	01330	Odor, Severity	1/Week	1	0	10/15/2009
October 2009	001	01350	Turbidity, Severity	1/Week	1	0	10/15/2009
October 2009	001	00010	Water Temperature	1/Week	1	0	10/22/2009
October 2009	001	00083	Color, Severity	1/Week	1	0	10/22/2009
October 2009	001	01330	Odor, Severity	1/Week	1	0	10/22/2009
October 2009	001	01350	Turbidity, Severity	1/Week	1	0	10/22/2009

We understand that Mr. Brian Mosko and Mr. Ed Mosko, of Valley Environmental Labs, Inc., have been routinely submitting the DMRs electronically via an assigned Personal Identification Number (PIN). 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". 40 CFR 122.22 (a) states that reports for an individual can only be signed and certified by an individual with decision making privileges, 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,*

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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.*

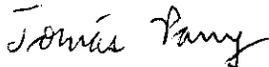
Signatory authority required pursuant to 40 CFR 122.22 (b) may be addressed under the terms of a written contract between Baldauf 4-Plex Apartments and a state-certified operator. A copy of the contract must be submitted to Ohio EPA. At a minimum, the contract shall specify that the certified operator be available to respond to emergencies and provide the services (i.e. inspection, monitoring, and supervision) necessary to maintain the reliable operation of the wastewater works. As the permit holder, it is the owner's responsibility to perform all daily operation and maintenance obligations not otherwise delegated to the certified operator.

In accordance with OAC 3745-7, the facility must provide written notice regarding the name and certification of the designated certified operator(s) of record for the facility. Please complete the enclosed Operator of Record (ORC) Notification Form and return it to the specified address within 30 days of receipt of this letter.

Please inform this office, in writing, within 10 days of receipt of this notification as to the reasons for the above violations and/or deficiencies, and actions that will be undertaken to remedy them.

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

Respectfully,

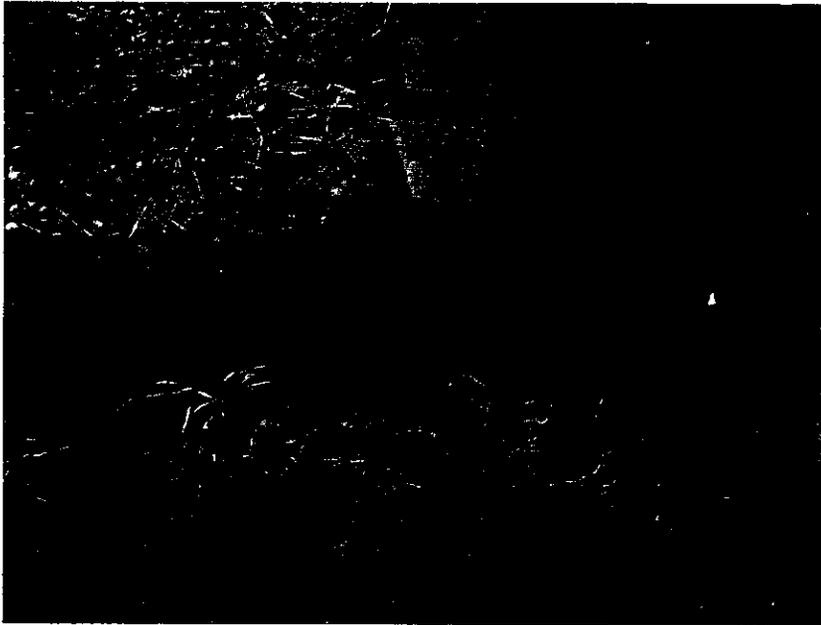


Tomás Parry
Environmental Engineer
Division of Surface Water

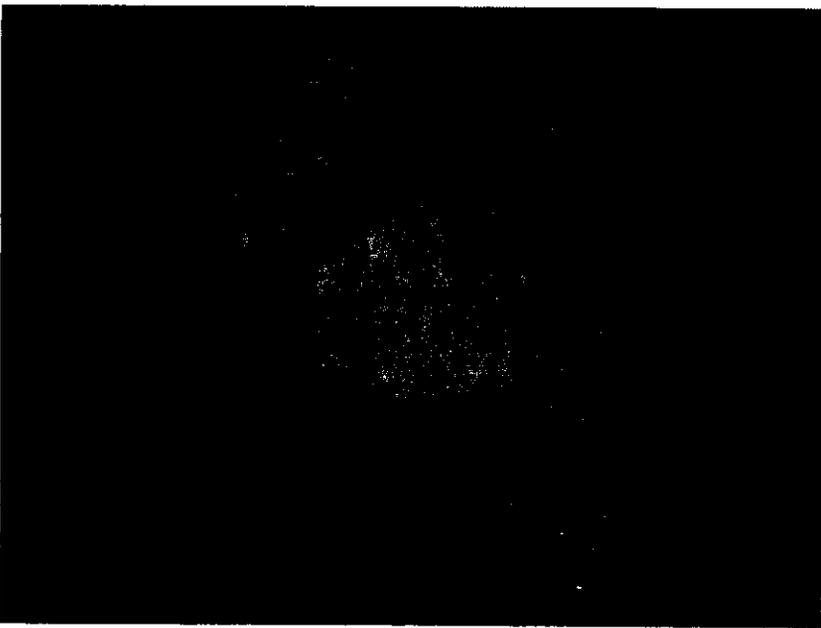
TP/mt

Attachment: Pictures
Enclosures: Operator of Record Certification Form

cc: Frank Migliozi R.S., Trumbull County Health Dept.
Richard Curl, R.S., Trumbull County Health Dept.
Martha Horvitz, Ohio EPA, CO, Legal
Rachel Demuth, Ohio EPA, CO, DSW
Casey Chapman, Assistant Attorney General



animal burrows



missing handles on access lids