



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

December 24, 2008

RE: TRUMBULL COUNTY
VIENNA TOWNSHIP
THE 972 COMPANY LTD.
NPDES PERMIT NO. OH0133434
OHIO EPA PERMIT NO. 3PR00350

Mr. Robert Thompson Jr., President
The 972 Company Ltd.
972 Youngstown Kingsville Road
Vienna, Ohio 44473

Dear Mr. Thompson:

On November 25, 2008, an inspection was conducted of the wastewater treatment plant serving the Distribution Center by the undersigned. The facility was represented by your contract operator, Mr. Scott Mascioli. 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 trash trap, 1,500 gpd extended aeration activated sludge treatment process, final settling tank, surface sand filtration, and chlorination/dechlorination contact tank.



At the time of the inspection, the general performance of the system was found to be marginal. The following deficiencies were noted and discussed with Mr. Mascioli:

- The contents of the aeration tank were light-grey in color with a low solids content. In general, a well-operated system should have a medium chocolate brown color. The mixed liquor suspended solids (MLSS) typically range from 2000 – 4000 mg/l.

Mr. Robert Thompson Jr.
 The 972 Company Ltd.
 December 24, 2008
 Page 2

- The clarified effluent was somewhat turbid and indicative of inadequate or poor treatment.
- A fence must be installed around any or all components of the system that are not locked.

A review of the facility's monthly Discharge Monitoring Reports (DMRs) received by Ohio EPA for the period September 2007 through November 2008 indicates continued violations of the terms and conditions of the NPDES permit. Specifically, the following violations of the numeric effluent limitations contained in the permit were identified:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
October 2007	No Report Submitted					
November 2007	No Report Submitted					
December 2007	001	Total Suspended Solids	30D Conc	12	37.	12/1/2007
December 2007	001	Total Suspended Solids	7D Conc	18	37.	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3)	30D Conc	4.5	58.	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3)	7D Conc	6.75	58.	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3)	30D Qty	0.026	.05861	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3)	7D Qty	0.038	.05861	12/1/2007
December 2007	001	CBOD 5 day	30D Conc	10	25.	12/1/2007
December 2007	001	CBOD 5 day	7D Conc	15	25.	12/1/2007
March 2008	001	Nitrogen, Ammonia (NH3)	30D Conc	4.5	35.8	3/1/2008
March 2008	001	Nitrogen, Ammonia (NH3)	30D Qty	0.026	.04472	3/1/2008
March 2008	001	CBOD 5 day	30D Conc	10	33.	3/1/2008
March 2008	001	Nitrogen, Ammonia (NH3)	7D Conc	6.75	35.8	3/22/2008
March 2008	001	Nitrogen, Ammonia (NH3)	7D Qty	0.038	.04472	3/22/2008
March 2008	001	CBOD 5 day	7D Conc	15	33.	3/22/2008
March 2008	001	Dissolved Oxygen	1D Conc	5.0	4.5	3/25/2008
June 2008	001	CBOD 5 day	30D Conc	10	13.	6/1/2008
June 2008	001	Dissolved Oxygen	1D Conc	5.0	3.3	6/17/2008
August 2008	001	Nitrogen, Ammonia (NH3)	30D Conc	2.0	20.3	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	20.3	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3)	30D Qty	0.011	.03235	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3)	7D Qty	0.017	.03235	8/1/2008
August 2008	001	Fecal Coliform	30D Conc	1000	5600.	8/1/2008
August 2008	001	Fecal Coliform	7D Conc	2000	5600.	8/1/2008
August 2008	001	Dissolved Oxygen	1D Conc	5.0	4.3	8/1/2008

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

Mr. Robert Thompson Jr.
The 972 Company Ltd.
December 24, 2008
Page 3

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

In addition to the above, please be advised of the following new requirements that affect the recordkeeping and data reporting procedures for the facility:

- 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>

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, including electronic submissions using eDMR, for a facility can only be signed and certified by the facility owner(s) or by a duly authorized representative of said individual(s). Delegations of authority must be made in writing to the Director of Ohio EPA.

- 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>

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
Scott Mascioli