



State of Ohio Environmental Protection Agency

Northeast District Office

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

October 9, 2007

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, OH 44473

Dear Mr. Thompson:

On September 25, 2007, an operation and maintenance inspection was conducted of the wastewater treatment plant by Mr. Steve Kramer and the undersigned. The purpose of the inspection was to evaluate the facility's compliance with the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit.

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

Trash Trap:

- The unit is designed to remove heavy/settleable solids. Hence, the airline to the unit must be removed.

Aeration Tank:

- The contents of the aeration tank were light-grey in color with a low solids content. In general, a well-operated system has a medium chocolate brown color. The mixed liquor suspended solids (MLSS) typically range from 2,000 – 4,000 mg/l.
- The north blower was seized up.

Secondary Settling Tank/Clarifier:

- The clarified effluent was somewhat turbid.
- The existing overflow tee connection is outdated and provides insufficient overflow area. Assuming that sufficient fall between the clarifier and the dosing chamber, one solution is to replace the tee.

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Dosing Chamber:

- The unit was not operational due to lack of power to the pumps. Consequently, the flow had backed up into the clarifier.

Surface Sand Filter:

- The walls need to be sealed and rehabilitated as necessary.
- Placement of rocks around the splash pad will minimize displacement of the sand and improve distribution of the water.

Chlorine Contact Tank:

- There were no tablets in either the chlorination or dechlorination feeders. Disinfection of wastewater **is mandatory** from May 1 – October 31.
- The lid of the unit needs to be to be grouted.
- In order to prevent unauthorized access, a fence needs to be installed around any or all components of the system that are not locked.

A review of the facility's monthly operating reports (MORs) received by Ohio EPA for the period January 2006 through August 2007 indicate violations of the terms and conditions of the NPDES permit. Specifically, the review noted the following violations of the numeric effluent limitations contained in the permit:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2006	001	CBOD 5 day	30D Conc	10	20.	6/1/2006
June 2006	001	CBOD 5 day	7D Conc	15	20.	6/15/2006
June 2007	001	Chlorine, Total Residual	1D Conc	0.019	.1	6/1/2007
August 2007	001	Chlorine, Total Residual	1D Conc	0.019	.11	8/2/2007
March 2007	001	Dissolved Oxygen	1D Conc	5.0	4.9	3/12/2007
June 2006	001	Dissolved Oxygen	1D Conc	5.0	4.8	6/20/2006
June 2007	001	Fecal Coliform	30D Conc	1000	1840.	6/1/2007
August 2007	001	Fecal Coliform	30D Conc	1000	1820.	8/1/2007
March 2007	001	Nitrogen, Ammonia (NH3	30D Conc	4.5	22.25	3/1/2007
August 2006	001	Nitrogen, Ammonia (NH3	30D Conc	2.0	3.3	8/1/2006
June 2006	001	Nitrogen, Ammonia (NH3	30D Conc	2.0	39.25	6/1/2006
December 2006	001	Nitrogen, Ammonia (NH3	30D Conc	4.5	30.	12/1/2006
June 2007	001	Nitrogen, Ammonia (NH3	30D Conc	2.0	5.25	6/1/2007
August 2007	001	Nitrogen, Ammonia (NH3	30D Conc	2.0	2.8	8/1/2007
March 2007	001	Nitrogen, Ammonia (NH3	7D Conc	6.75	22.25	3/8/2007

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
August 2006	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	3.3	8/8/2006
June 2006	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	39.25	6/15/2006
December 2006	001	Nitrogen, Ammonia (NH3)	7D Conc	6.75	30.	12/8/2006
June 2007	001	Nitrogen, Ammonia (NH3)	7D Conc	3.0	5.25	6/1/2007
March 2007	001	Total Suspended Solids	30D Conc	12	17.	3/1/2007
August 2006	001	Total Suspended Solids	30D Conc	12	14.	8/1/2006
June 2006	001	Total Suspended Solids	30D Conc	12	75.	6/1/2006
June 2007	001	Total Suspended Solids	30D Conc	12	23.	6/1/2007
June 2006	001	Total Suspended Solids	7D Conc	18	75.	6/15/2006
June 2007	001	Total Suspended Solids	7D Conc	18	23.	6/1/2007

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

1. We understand that North Coast Environmental Laboratory has been routinely submitting monthly operating reports for the facility. 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. As such, reports for companies can only be signed and certified by a corporate officer, general partner, proprietor, 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, 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.***

Please be advised that this office has no record of such authorization.

2. Pursuant to Ohio Administrative Code (OAC) 3745-7-02, the treatment system must be placed under the responsible charge of a certified operator. Facilities

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may employ the services of a certified operator via contract. At a minimum, the contract shall specify that the certified operator be available to respond to emergencies and provide the daily services (i.e., **inspection, monitoring, maintenance, and supervision**) necessary to maintain the reliable operation of the wastewater works. Signatory authority required pursuant to 40 CFR 122.22 (b) may be addressed under the terms of the contract for submission of Monthly Operating Reports. A copy of the signed contract must be submitted to this office.

Summary/Conclusion

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: Steve Kramer, Trumbull County Health Department