



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

March 26, 2010

RE: WAYNE COUNTY
EAST UNION TWP.
WOOSTER ROLLING WHEELS MHP
3PV00098

CERTIFIED MAIL

NOTICE OF VIOLATION

Gail Belton and Jess Belton, Jr.
Wooster Rolling Wheels Estates MHP
149961 Oak Grove Drive
Doylestown, OH 44230-9511

Dear Mr. & Mrs. Belton:

Note discharge violations, noncompliance with NPDES permit – compliance schedule and effluent limits.

In reviewing compliance data for your facility, it has come to this offices attention that your facility has continued non compliance with your NPDES permit. You are in significant non compliance with your NPDES permit compliance schedule and NPDES permit discharge limits. More specifically, Wooster Rolling Wheels Estates MHP is in non compliance for the following:

- 1) Your NPDES permit contains a compliance schedule that required you to submit detail plans for wastewater treatment plant improvements. To date, these detail plans have not been submitted. The required improvements included phosphorus monitoring data report and PTI submittal for phosphorus removal system

According to the compliance schedule of your NPDES permit (copy enclosed), the phosphorus monitoring report was required to be submitted by August 1, 2007 and the detail plans for the upgraded wastewater treatment plant were required to be submitted by October 1, 2007. The upgrades were required to be installed by August 1, 2008. As of now, you are in noncompliance with your NPDES permit for failing to comply with your compliance schedule.

- 2) A review of your discharge monitoring reports covering the period January1, 2008 through March 1, 2010, revealed that your facility is in noncompliance with your NPDES permit discharge limits in addition to not submitting data. Not submitting your discharge monitoring reports is a violation of your NPDES permit and subject to enforcement action by this Agency.

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If you believe any of these violations are not accurate, please contact this office in writing within ten business days from the date of this letter.

- 3) Our records indicate that sanitary sewers were recently installed by Wayne County to serve Eastwood Estates and the general area. It has been noted that a connection to the sanitary sewer has not been made by your facility.

Please be aware that Wooster Rolling Wheels Estates MHP sewage system is considered a **semi-public disposal system** as that term is defined in ORC 3709.085 (B) (1) (a). OAC 3745-33-08 (B) prohibits the Director of Ohio EPA from issuing an NPDES permit to a semi-public disposal system whenever a publicly owned sanitary sewer is available and accessible. Furthermore, OAC 3745-33-08 (C) states that:

Notwithstanding the issuance or non-issuance of an NPDES permit to a semi public disposal system, whenever the sewage system of a publicly owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publicly owned treatment works.

Given the above violations, and the availability and accessibility of the public sanitary sewer, Wooster Rolling Wheels Estates MHP must immediately undertake actions to come into compliance with their NPDES permit or cease the discharge to "waters of the state" in order to come into compliance with the applicable requirements of ORC Chapter 6111 and the rules promulgated there under. Recognizing the time involved in completing the sewer work, the following interim action must be completed immediately:]

- Hire a Professional Engineer to design the wastewater treatment plant upgrades or a connection to the County sewers. The engineer preparing the plans shall also be responsible for overseeing the installation of the sewer. Your contract with the engineer must include inspection during construction. Copies of the executed contract should be submitted to this office.
- Four sets of detail plans of the sanitary sewer improvements must be prepared, stamped by the Professional Engineer, and submitted to this office for review as soon as practicable but not later than 60 days from the date of this letter. They will be forwarded to the Director's Office with our recommendations. In accordance with the Ohio Revised Code Section 6111.44, you must receive formal approval from the Director's Office prior to construction. Construction of the improvements shall commence as soon as practicable but not later than 90 days from receipt of approval.

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The enclosed Plan Approval Procedures must be followed. All fees, applications, and data sheets must be completed and included with the submission of detail plans before the plans can be processed for approval.

Failure to list specific deficiencies in this communication does not relieve Wooster Rolling Wheels Estates MHP from the responsibility of complying with all applicable water pollution control regulations. This letter does not relieve the facility from the liability for any past or present violations of the state's water pollution control laws.

Because of the continued significant noncompliance, our office will be initiating an enforcement action against your facility. At this time you have the opportunity to obtain compliance prior to any enforcement action becoming effective. To avoid further enforcement action, you must respond to this correspondence within 10 days of receipt with a schedule for obtaining compliance. At minimum, the schedule should include a workplan for the connecting to County Sewer or the submittal of the PTI application and a timeframe to get the wastewater treatment plant upgrades completed. Should you have any comments or questions regarding this letter, please contact this office at (330)963-1299.

If you have any questions or comments regarding this letter, please contact this office at (330) 963-1299.

Respectfully,



Laura A. Weber, P.E.
Environmental Engineer
Division of Surface Water

LAW/mt

pc: Philip Gnacinski, Wayne County Health Dept.
Mr. Richard Jackson, Smithville Western, Ltd.

File: Semi-Public/Wayne/EastUnionTwp./WoosterRollingWheelsMHP

Discharge Violations:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
January 2008	001	Ammonia (NH3) In Sludg	30D Conc	3.0	4.8	1/1/2008
January 2008	001	Ammonia (NH3) In Sludg	30D Qty	.18	.32702	1/1/2008
January 2008	001	Ammonia (NH3) In Sludg	7D Conc	4.5	4.8	1/8/2008
January 2008	001	Ammonia (NH3) In Sludg	7D Qty	.30	.32702	1/8/2008
April 2008	001	Ammonia (NH3) In Sludg	30D Conc	3.0	18.	4/1/2008
April 2008	001	Ammonia (NH3) In Sludg	30D Qty	.18	1.22634	4/1/2008
April 2008	001	Ammonia (NH3) In Sludg	7D Conc	4.5	18.	4/15/2008
April 2008	001	Ammonia (NH3) In Sludg	7D Qty	.30	1.22634	4/15/2008
February 2009	001	Ammonia (NH3) In Sludg	30D Conc	3.0	15.7	2/1/2009
February 2009	001	Ammonia (NH3) In Sludg	30D Qty	0.18	1.06964	2/1/2009
February 2009	001	Ammonia (NH3) In Sludg	7D Conc	4.5	15.7	2/22/2009
February 2009	001	Ammonia (NH3) In Sludg	7D Qty	0.30	1.06964	2/22/2009
March 2009	001	Ammonia (NH3) In Sludg	30D Conc	3.0	10.6	3/1/2009
March 2009	001	Ammonia (NH3) In Sludg	30D Qty	0.18	.72218	3/1/2009
March 2009	001	Ammonia (NH3) In Sludg	7D Conc	4.5	10.6	3/15/2009
March 2009	001	Ammonia (NH3) In Sludg	7D Qty	0.30	.72218	3/15/2009
February 2008	001	CBOD 5 day	30D Qty	0.6	.61317	2/1/2008
February 2009	001	CBOD 5 day	30D Conc	10	19.	2/1/2009
February 2009	001	CBOD 5 day	30D Qty	0.6	1.29447	2/1/2009
February 2009	001	CBOD 5 day	7D Conc	15	19.	2/22/2009
February 2009	001	CBOD 5 day	7D Qty	1.0	1.29447	2/22/2009
February 2009	001	Dissolved Oxygen	1D Conc	6.0	5.2	2/20/2009
June 2008	001	Fecal Coliform	30D Conc	1000	9300.	6/1/2008
June 2008	001	Fecal Coliform	7D Conc	2000	9300.	6/15/2008
October 2008	001	Fecal Coliform	30D Conc	1000	7800.	10/1/2008
October 2008	001	Fecal Coliform	7D Conc	2000	7800.	10/15/2008
October 2009	001	Fecal Coliform	30D Conc	1000	2000.	10/1/2009
October 2009	001	Fecal Coliform	7D Conc	2000	2000.	10/15/2009
May 2008	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	1.7	5/1/2008
May 2008	001	Nitrogen, Ammonia (NH3	30D Qty	.06	.11582	5/1/2008
May 2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	1.7	5/22/2008
May 2008	001	Nitrogen, Ammonia (NH3	7D Qty	.10	.11582	5/22/2008
June 2008	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	2.5	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3	30D Qty	.06	.17033	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	2.5	6/15/2008
June 2008	001	Nitrogen, Ammonia (NH3	7D Qty	.10	.17033	6/15/2008
July 2008	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	1.1	7/1/2008
July 2008	001	Nitrogen, Ammonia (NH3	30D Qty	.06	.07494	7/1/2008
August 2008	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	9.7	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3	30D Qty	0.06	.66086	8/1/2008
August 2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	9.7	8/15/2008
August 2008	001	Nitrogen, Ammonia (NH3	7D Qty	0.10	.66086	8/15/2008
October 2008	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	8.1	10/1/2008
October 2008	001	Nitrogen, Ammonia (NH3	30D Qty	0.06	.55185	10/1/2008

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
October 2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	8.1	10/15/2008
October 2008	001	Nitrogen, Ammonia (NH3	7D Qty	0.10	.55185	10/15/2008
May 2009	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	6.6	5/1/2009
May 2009	001	Nitrogen, Ammonia (NH3	30D Qty	0.06	.44966	5/1/2009
May 2009	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	6.6	5/15/2009
May 2009	001	Nitrogen, Ammonia (NH3	7D Qty	0.10	.44966	5/15/2009
June 2009	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	8.2	6/1/2009
June 2009	001	Nitrogen, Ammonia (NH3	30D Qty	0.06	.55867	6/1/2009
June 2009	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	8.2	6/22/2009
June 2009	001	Nitrogen, Ammonia (NH3	7D Qty	0.10	.55867	6/22/2009
July 2009	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	6.5	7/1/2009
July 2009	001	Nitrogen, Ammonia (NH3	30D Qty	0.06	.44285	7/1/2009
July 2009	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	6.5	7/15/2009
July 2009	001	Nitrogen, Ammonia (NH3	7D Qty	0.10	.44285	7/15/2009
September 2009	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	1.3	9/1/2009
September 2009	001	Nitrogen, Ammonia (NH3	30D Qty	0.06	.08857	9/1/2009
August 2008	001	Phosphorus, Total (P)	30D Conc	1.0	1.83	8/1/2008
August 2008	001	Phosphorus, Total (P)	30D Qty	0.06	.12468	8/1/2008
August 2008	001	Phosphorus, Total (P)	7D Conc	1.5	1.83	8/15/2008
August 2008	001	Phosphorus, Total (P)	7D Qty	0.10	.12468	8/15/2008
October 2008	001	Phosphorus, Total (P)	30D Conc	1.0	3.54	10/1/2008
October 2008	001	Phosphorus, Total (P)	30D Qty	0.06	.24118	10/1/2008
October 2008	001	Phosphorus, Total (P)	7D Conc	1.5	3.54	10/15/2008
October 2008	001	Phosphorus, Total (P)	7D Qty	0.10	.24118	10/15/2008
November 2008	001	Phosphorus, Total (P)	30D Conc	1.0	1.96	11/1/2008
November 2008	001	Phosphorus, Total (P)	30D Qty	0.06	.13353	11/1/2008
November 2008	001	Phosphorus, Total (P)	7D Conc	1.5	1.96	11/15/2008
November 2008	001	Phosphorus, Total (P)	7D Qty	0.10	.13353	11/15/2008
December 2008	001	Phosphorus, Total (P)	30D Conc	1.0	1.56	12/1/2008
December 2008	001	Phosphorus, Total (P)	30D Qty	0.06	.10628	12/1/2008
December 2008	001	Phosphorus, Total (P)	7D Conc	1.5	1.56	12/15/2008
December 2008	001	Phosphorus, Total (P)	7D Qty	0.10	.10628	12/15/2008
January 2009	001	Phosphorus, Total (P)	30D Conc	1.0	1.73	1/1/2009
January 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.11786	1/1/2009
January 2009	001	Phosphorus, Total (P)	7D Conc	1.5	1.73	1/22/2009
January 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.11786	1/22/2009
February 2009	001	Phosphorus, Total (P)	30D Conc	1.0	1.78	2/1/2009
February 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.12127	2/1/2009
February 2009	001	Phosphorus, Total (P)	7D Conc	1.5	1.78	2/22/2009
February 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.12127	2/22/2009
March 2009	001	Phosphorus, Total (P)	30D Conc	1.0	2.17	3/1/2009
March 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.14784	3/1/2009
March 2009	001	Phosphorus, Total (P)	7D Conc	1.5	2.17	3/15/2009
March 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.14784	3/15/2009
May 2009	001	Phosphorus, Total (P)	30D Conc	1.0	2.22	5/1/2009

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
May 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.15125	5/1/2009
May 2009	001	Phosphorus, Total (P)	7D Conc	1.5	2.22	5/15/2009
May 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.15125	5/15/2009
June 2009	001	Phosphorus, Total (P)	30D Conc	1.0	2.62	6/1/2009
June 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.1785	6/1/2009
June 2009	001	Phosphorus, Total (P)	7D Conc	1.5	2.62	6/22/2009
June 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.1785	6/22/2009
August 2009	001	Phosphorus, Total (P)	30D Conc	1.0	1.58	8/1/2009
August 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.10765	8/1/2009
August 2009	001	Phosphorus, Total (P)	7D Conc	1.5	1.58	8/15/2009
August 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.10765	8/15/2009
September 2009	001	Phosphorus, Total (P)	30D Conc	1.0	2.43	9/1/2009
September 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.16556	9/1/2009
September 2009	001	Phosphorus, Total (P)	7D Conc	1.5	2.43	9/15/2009
September 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.16556	9/15/2009
October 2009	001	Phosphorus, Total (P)	30D Conc	1.0	2.44	10/1/2009
October 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.16624	10/1/2009
October 2009	001	Phosphorus, Total (P)	7D Conc	1.5	2.44	10/15/2009
October 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.16624	10/15/2009
November 2009	001	Phosphorus, Total (P)	30D Conc	1.0	1.9	11/1/2009
November 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.12945	11/1/2009
November 2009	001	Phosphorus, Total (P)	7D Conc	1.5	1.9	11/15/2009
November 2009	001	Phosphorus, Total (P)	7D Qty	0.10	.12945	11/15/2009
December 2009	001	Phosphorus, Total (P)	30D Conc	1.0	1.37	12/1/2009
December 2009	001	Phosphorus, Total (P)	30D Qty	0.06	.09334	12/1/2009
January 2010	001	Phosphorus, Total (P)	30D Conc	1.0	1.13	1/1/2010
January 2010	001	Phosphorus, Total (P)	30D Qty	0.06	.07699	1/1/2010
February 2010	001	Phosphorus, Total (P)	30D Conc	1.0	1.81	2/1/2010
February 2010	001	Phosphorus, Total (P)	30D Qty	0.06	.12332	2/1/2010
February 2010	001	Phosphorus, Total (P)	7D Conc	1.5	1.81	2/15/2010
February 2010	001	Phosphorus, Total (P)	7D Qty	0.10	.12332	2/15/2010

Frequency Violations:

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
September 2008	001	00083	Color, Severity	1/Day	1	0	09/29/2008
September 2008	001	01330	Odor, Severity	1/Day	1	0	09/29/2008
September 2008	001	01350	Turbidity, Severity	1/Day	1	0	09/29/2008
September 2008	001	50050	Flow Rate	1/Day	1	0	09/29/2008
September 2008	001	00083	Color, Severity	1/Day	1	0	09/30/2008
September 2008	001	01330	Odor, Severity	1/Day	1	0	09/30/2008
September 2008	001	01350	Turbidity, Severity	1/Day	1	0	09/30/2008
September 2008	001	50050	Flow Rate	1/Day	1	0	09/30/2008

Code Violations:

Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2009	001	31616	Fecal Coliform			AK	6/25/2009
July 2009	001	31616	Fecal Coliform			AK	7/16/2009
August 2009	001	31616	Fecal Coliform			AK	8/20/2009
September 2009	001	31616	Fecal Coliform			AK	9/17/2009

7009 1680 0000 6381 4315

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