



Environmental
Protection Agency

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

February 07, 2011

RE: TRUMBULL COUNTY
BAZETTA TOWNSHIP
KMART DISTRIBUTION CENTER
NPDES PERMIT NO. OH0083909
OHIO EPA PERMIT NO. 3PS00007

Mr. Richard Shafer, Plant Manager
Kmart Distribution Center
541 Perkins-Jones Rd.
Warren, Ohio 44483

Dear Mr. Shafer:

On January 6, 2011, Mr. Erm Gomes of Ohio EPA, Mr. Richard Curl of the Trumbull County Health Department, and the undersigned conducted an inspection of the wastewater treatment plant serving the Kmart Distribution Center. 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 an influent lift station, comminutor, bar screen, flow equalization basin, 10,000 gpd extended aeration treatment unit, final settling tank, dual-unit slow surface sand filter, and UV disinfection system. The final effluent is discharged to an unnamed tributary of the Mahoning River.

At the time of the inspection, all treatment units, including the new UV system, appeared to be in operation. The final effluent being discharged appeared to be of satisfactory visual quality.

A review of the facility's monthly Discharge Monitoring Reports (DMRs) received by Ohio EPA for the period, October 2009 – February 2011, indicates violations of the effluent limitations and/or monitoring requirements contained in the NPDES permit. The specific instances of noncompliance are as follows:

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
May 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	05/15/2010
June 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	06/15/2010
July 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	07/01/2010
July 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	07/15/2010
August 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	08/15/2010
September 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	09/01/2010
September 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	09/15/2010
October 2010	001	50060	Chlorine, Total Residual	1/2Weeks	1	0	10/15/2010

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Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
August 2010	001	31616	Fecal Coliform	1D Conc	2000	5800.	8/5/2010
August 2010	001	31616	Fecal Coliform	30D Conc	1000	3319.63	8/1/2010
July 2010	001	31616	Fecal Coliform	30D Conc	1000	1039.23	7/1/2010

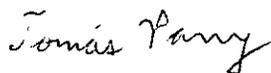
Since the facility has discontinued the use of Chlorine disinfection, and now utilizes UV disinfection, please re-submit the eDMRs for the affected months, and include the data substitution code "AH" for the reported value.

As of March 15, 2010, the current Fecal Coliform water quality standard has been replaced by an *E. coli* standard. Based on the new Class B Primary Contact Recreation standard, the projected *E. coli* effluent limitations for the facility will be 161/100 ml (30-day average) and 362/100 ml (7-day average). The new standards have been applied to the latest NPDES permit renewal. A schedule of compliance for the new *E. coli* limits was not included in the permit renewal because Kmart notified Ohio EPA that the new *E. coli* limits could be met right away.

Please submit a written response to this office documenting the actions taken or proposed to address the above violations and/or deficiencies. Your response shall include dates for initiation and completion of the actions. Please be advised that violations of the terms and conditions of the NPDES permit are subject to appropriate enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code (ORC). Such actions can result in the imposition of fines of up to \$10,000 per day of violation. Additionally, please be advised that ORC 6111.99 includes provisions for criminal prosecution, e.g. acts of falsification.

Should you have any questions or comments regarding this letter, please contact this office at (330) 963-1120.

Respectfully,



Tomás Parry
Environmental Engineer II
Division of Surface Water

TP/MT

cc Richard Curl, Trumbull County Health Department

File: Semipublic/Trumbull County/Bazetta Twp./Kmart Distribution