



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

October 9, 2008

RE: WAYNE COUNTY
FORESTVIEW MHP
NPDES# 3PV00125

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Matt Madigan
MK3 Property Management, LLC
PO Box 548
Smithville, OH 44677

Dear Mr. Madigan:

On October 2, 2008, this writer conducted a follow up inspection of the sewage treatment plant in operation at the Forest View Mobile Home Park. Our office previously inspected the facility on August 7, 2008 and found the construction of the upgraded system to be incomplete, the existing system in disrepair and an unauthorized discharge was found. The intent of the follow up inspection was to evaluate the progress of the wastewater treatment plant construction and verify the unauthorized discharge was eliminated.

The inspection revealed the sand filter sidewalls were repaired and the trench to the creek was eliminated. In addition, it was noticed that progress was made on construction of the wastewater treatment plant upgrades. Further inspection found the distribution box to the sand filter had not been altered to include a permanent plug. Our previous letter dated August 21, 2008 (copy enclosed) specifically ordered you to remove the temporary plug (a plastic bag shoved in the pipe) and install a permanent plug. The permanent plug was required to prevent untreated wastewater from reaching the unfinished sand filter and discharging to Waters of the State. Given the findings of this inspection, our office finds the following:

- 1) You are in violation of Ohio Revised Code (ORC) 6111.04 which prohibits any person to cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state. Violations of ORC 6111 are punishable by fines up to \$10,000 per day of violation
- 2) You are in violation of Part 3 of your NPDES permit which requires you to maintain in good working order and operate as efficiently as possible all treatment units.

Mr. Matt Madigan
Forest View Mobile Home Park
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- 3) According to Ohio Administrative Code (OAC) 3745-42-02, a PTI shall terminate 18 months of the effective date if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time, a continuing program of installation and modification. The Director of Ohio EPA may terminate your PTI since more than 18 months has passed since the effective date.

To prevent further enforcement action by Ohio EPA, you must do the following:

- Complete construction on the upgraded wastewater treatment plant and place the new plant online within 42 days from the date of this letter.
- Begin submitting MDR's every month and utilize the code "AL" when there is no discharge for the month.

Please respond within 30 days from the date of this letter to address the issues noted in this letter and that you are aware of the timeline to obtain compliance. 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

cc: Lynnessa Casto, Wayne County Health Dept.

ec: Rich Blasick, P.E., Ohio EPA, DSW, NEDO

File: Semi-Public/Wayne/Wooster Twp/Forest View MHP

Effluent Limit Violations:

Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2006	001	01119	Copper, Total Recover	30DConc	22	24.	3/1/2006
March 2006	001	01119	Copper, Total Recovers	30D Qty	0.0234	.02861	3/1/2006

Frequency Limit Violations:

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
February 2006	001	00530	Total Suspended Solids	2/Week	2	1	02/22/2006
February 2006	001	00610	Nitrogen, Ammonia (NH3)	2/Week	2	1	02/22/2006
February 2006	001	80082	CBOD 5 day	2/Week	2	1	02/22/2006
March 2006	001	50050	Flow Rate	1/Day	1	0	03/22/2006
March 2006	001	50050	Flow Rate	1/Day	1	0	03/30/2006
April 2006	001	00530	Total Suspended Solids	2/Week	2	1	04/22/2006
April 2006	001	00610	Nitrogen, Ammonia (NH3)	2/Week	2	1	04/22/2006
April 2006	001	80082	CBOD 5 day	2/Week	2	1	04/22/2006
December 2006	581	51129	Sludge Fee Weight	1/Year	1	0	12/01/2006
March 2007	001	00010	Water Temperature	1/Day	1	0	03/01/2007
March 2007	001	00530	Total Suspended Solids	2/Week	2	0	03/01/2007
March 2007	001	00610	Nitrogen, Ammonia (NH3)	2/Week	2	0	03/01/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/01/2007
March 2007	001	80082	CBOD 5 day	2/Week	2	0	03/01/2007
March 2007	001	00556	Oil and Grease, Freon	1/Month	1	0	03/01/2007
March 2007	001	00665	Phosphorus, Total (P)	1/Month	1	0	03/01/2007
March 2007	001	00400	pH	1/Day	1	0	03/01/2007
March 2007	001	00630	Nitrite Plus Nitrate,	1/Month	1	0	03/01/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/01/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/02/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/02/2007
March 2007	001	00400	pH	1/Day	1	0	03/02/2007

Reporting Period		Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/02/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/03/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/03/2007
March	2007	001	00400	pH	1/Day	1	0	03/03/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/03/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/04/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/04/2007
March	2007	001	00400	pH	1/Day	1	0	03/04/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/04/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/05/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/05/2007
March	2007	001	00400	pH	1/Day	1	0	03/05/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/05/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/06/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/06/2007
March	2007	001	00400	pH	1/Day	1	0	03/06/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/06/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/07/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/07/2007
March	2007	001	00400	pH	1/Day	1	0	03/07/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/07/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/08/2007
March	2007	001	00530	Total Suspended Solids	2/Week	2	0	03/08/2007
March	2007	001	00610	Nitrogen, Ammonia (NH3)	2/Week	2	0	03/08/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/08/2007
March	2007	001	80082	CBOD 5 day	2/Week	2	0	03/08/2007
March	2007	001	00400	pH	1/Day	1	0	03/08/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/08/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/09/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/09/2007
March	2007	001	00400	pH	1/Day	1	0	03/09/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/09/2007

Reporting Period		Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
March	2007	001	50050	Flow Rate	1/Day	1	0	03/17/2007
March	2007	001	00400	pH	1/Day	1	0	03/17/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/17/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/18/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/18/2007
March	2007	001	00400	pH	1/Day	1	0	03/18/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/18/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/19/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/19/2007
March	2007	001	00400	pH	1/Day	1	0	03/19/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/19/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/20/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/20/2007
March	2007	001	00400	pH	1/Day	1	0	03/20/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/20/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/21/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/21/2007
March	2007	001	00400	pH	1/Day	1	0	03/21/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/21/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/22/2007
March	2007	001	00530	Total Suspended Solids	2/Week	2	0	03/22/2007
March	2007	001	00610	Nitrogen, Ammonia (NH3)	2/Week	2	0	03/22/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/22/2007
March	2007	001	80082	CBOD 5 day	2/Week	2	0	03/22/2007
March	2007	001	00400	pH	1/Day	1	0	03/22/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/22/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/23/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/23/2007
March	2007	001	00400	pH	1/Day	1	0	03/23/2007
March	2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/23/2007
March	2007	001	00010	Water Temperature	1/Day	1	0	03/24/2007
March	2007	001	50050	Flow Rate	1/Day	1	0	03/24/2007

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2007	001	00400	pH	1/Day	1	0	03/24/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/24/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/25/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/25/2007
March 2007	001	00400	pH	1/Day	1	0	03/25/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/25/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/26/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/26/2007
March 2007	001	00400	pH	1/Day	1	0	03/26/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/26/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/27/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/27/2007
March 2007	001	00400	pH	1/Day	1	0	03/27/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/27/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/28/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/28/2007
March 2007	001	00400	pH	1/Day	1	0	03/28/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/28/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/29/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/29/2007
March 2007	001	00400	pH	1/Day	1	0	03/29/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/29/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/30/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/30/2007
March 2007	001	00400	pH	1/Day	1	0	03/30/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/30/2007
March 2007	001	00010	Water Temperature	1/Day	1	0	03/31/2007
March 2007	001	50050	Flow Rate	1/Day	1	0	03/31/2007
March 2007	001	00400	pH	1/Day	1	0	03/31/2007
March 2007	001	00300	Dissolved Oxygen	1/Day	1	0	03/31/2007
December 2007	581	51129	Sludge Fee Weight	1/Year	1	0	12/01/2007

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
January 2008	001	00530	Total Suspended Solids	2/Week	2	1	01/15/2008
January 2008	001	00610	Nitrogen, Ammonia (NH3)	2/Week	2	1	01/15/2008
January 2008	001	80082	CBOD 5 day	2/Week	2	1	01/15/2008
May 2008	001	31616	Fecal Coliform	2/Week	2	1	05/15/2008

SENDER: COMPLETE THIS SECTION

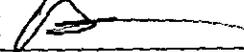
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Matt Madigan
MK3 Property Management, LLC
PO Box 548
Smithville, OH 44677

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X 

Agent

Addressee

B. Received by (Printed Name)

Madigan Matt

C. Date of Delivery

10-17-08

- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number 7008 0150 0001 7110 8784
(Transfer from service label)

L. Weber 10-14-08

7008 0150 0001 7110 8784

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L. Weber 10-14-08 <i>mlb</i>	
Sent to Mr. Matt Madigan	
Street, Apt. No., or PO Box No. MK3 Property Management, LLC	
City, State, ZIP+4 PO Box 548 Smithville, OH 44677	
PS Form 3800, August 2006 See Reverse for Instructions	