

**Environmental
Protection Agency**

**Governor
Lt. Governor
Director**

November 14, 2011

RE: LAKE COUNTY
MADISON TOWNSHIP
MADISON HEALTH CARE, INC.
NPDES PERMIT NO. 3PR00080

NOTICE OF VIOLATION

Meredith Flaherty, Administrator
7600 South Ridge Road
Madison, OH 44057

Dear Ms. Flaherty:

On November 1, 2011, this writer conducted a Reconnaissance Inspection of the wastewater treatment facility serving the Madison Health Care facility. The purpose of the inspection was to evaluate the facility's compliance with the National Pollutant Discharge Elimination System (NPDES) permit. Specifically, the inspection was to determine compliance with the staffing and record keeping requirements and responsibilities of the certified operator as stated in Part II of the NPDES permit and as outlined in Ohio Administrative Code (OAC) 3745-07, during the period of September 4, 2011 through September 17, 2011.

On the day of inspection, this writer was able to locate a spiral notebook that is serving as an operation and maintenance records book. The records log book contained no documentation that an operator of record was present during the week of September 4, 2011. During the week of September 11, 2011, the operator of record was present at the facility on September 12th and September 16th; however, the operator of record did not document in the log book, his time of arrival and time of departure. Failure of the operator of record to document his arrival and departure times is a violation of OAC 3745-07-04. A spiral notebook does not meet the requirements for a records log book and is a violation of OAC 3745-07-09. There are also violations of OAC 3745-33 for failure to meet the conditions of your NPDES permit. These violations are subject to enforcement action that may include a monetary penalty.

The wastewater treatment facility serving the Madison Health Care facility is classified as a Class A wastewater treatment works. Pursuant to OAC 3745-07-04 (C), a Class A wastewater treatment works must be staffed with an operator of record two days per week for a minimum of one hour per week. The operator of record must be physically present at the wastewater treatment works for this length of time. All current operators of record must be reported to Ohio EPA, using the Operator of Record Notification Form. Ohio EPA must be notified when any former operator of record is no longer acting in that capacity by using the notification form. Pursuant to OAC 3745-07-02(D) if the owner of a treatment works enters into a contract for the services of a certified operator to serve as the operator of record of a treatment works, a copy of the contract must be

OAC 3745-07-09 (A) requires the owner and operator of record of the treatment works to maintain or cause to be maintained operation and maintenance records for each public wastewater treatment facility. Some of the formats in which the records may be maintained include, but are not limited to, hard bound books with consecutive page numbering, time cards, separate operation and maintenance records, or well organized computer logs. The records shall be accessible onsite for twenty-four hour inspection by agency or emergency response personnel. The records shall be housed and maintained in such a manner as to be protected from weather damage and guarantee the authenticity and accuracy of the records contained within.

At a minimum, the following information must be recorded:

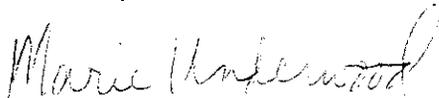
1. Identification of the sewage treatment works;
2. Date and times of arrival and departure for the operator of record and any other operator required by this chapter;
3. Specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of sewage conveyed or effluent produced;
4. Results of tests performed and samples taken, unless documented on a laboratory sheet;
5. Performance of preventative maintenance and repairs or requests for repair of the equipment that affect or have the potential to affect the quality or quantity of sewage conveyed, effluent produced; and
6. Identification of the persons making entries.

Please review OAC 3745-07 for additional information.

Within 10 days of the date of this letter, you are directed to notify this office, in writing, outlining the corrective action, either actual or proposed, that will be taken to eliminate the above highlighted deficiencies.

Should you have any questions, please contact the undersigned at (330) 963-1183.

Sincerely,



Marie Underwood, P.E.
Environmental Engineer
Division of Surface Water

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