



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 21, 2007

RE: TRUMBULL COUNTY
MECCA TOWNSHIP
JAK'S FINE FOODS
NPDES PERMIT NO. OH0137049
OHIO EPA PERMIT NO. 3PR00411

Mr. Kevin Cook, Owner
Jak's Fine Foods
2323 Greenville Road
Cortland, OH 44410

Dear Mr. Cook:

An inspection was conducted by the undersigned of the sanitary wastewater treatment plant serving the above referenced facility on August 23, 2007. 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.

Inspection Findings/Compliance Status

The current treatment system consists of a trash trap, 2,462-gpd extended aeration activated sludge "package" plant, final settling tank, scum tank, slow surface sand filtration, and chlorination/dechlorination system. The facility discharges to Mosquito Creek Reservoir.

At the time of the inspection, the treatment components appeared to be in satisfactory condition. The final effluent being discharged appeared to be of satisfactory visual quality. However, a review of the facility's monthly operating reports (MORs) received by Ohio EPA for the period September 2006 through August 2007 indicates 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
December 2006	001	Dissolved Oxygen	1D Conc	6.0	5.5	12/13/2006
June 2007	001	Total Suspended Solids	30D Conc	12	54.	6/1/2007
June 2007	001	Total Suspended Solids	30D Qty	0.11	.50321	6/1/2007
June 2007	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	14.6	6/1/2007
June 2007	001	Nitrogen, Ammonia (NH3)	30D Qty	0.009	.13605	6/1/2007
June 2007	001	Fecal Coliform	30D Conc	1000	1600.	6/1/2007
June 2007	001	CBOD 5 day	30D Conc	10	87.	6/1/2007
June 2007	001	CBOD 5 day	30D Qty	0.09	.81072	6/1/2007
June 2007	001	Total Suspended Solids	1D Conc	18	54.	6/28/2007
June 2007	001	Total Suspended Solids	1D Qty	0.17	.50321	6/28/2007
June 2007	001	Nitrogen, Ammonia (NH3)	1D Conc	1.5	14.6	6/28/2007
June 2007	001	Nitrogen, Ammonia (NH3)	1D Qty	0.014	.13605	6/28/2007

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2007	001	CBOD 5 day	1D Conc	15	87.	6/28/2007
June 2007	001	CBOD 5 day	1D Qty	0.14	.81072	6/28/2007
August 2007	001	Nitrogen, Ammonia (NH3	30D Conc	1.0	17.3	8/1/2007
August 2007	001	Nitrogen, Ammonia (NH3	30D Qty	0.009	.16121	8/1/2007
August 2007	001	Nitrogen, Ammonia (NH3	1D Conc	1.5	17.3	8/15/2007
August 2007	001	Nitrogen, Ammonia (NH3	1D Qty	0.014	.16121	8/15/2007
August 2007	001	Dissolved Oxygen	1D Conc	6.0	1.9	8/15/2007

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

1. We understand that Valley Environmental 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.***
2. Pursuant to Ohio Administrative Code (OAC)3745-7- 02, a copy of the contract with your certified operator must be immediately submitted to Ohio EPA for approval. 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.

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.

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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