



State of Ohio Environmental Protection Agency

Northeast District Office



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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

April 29, 2008

RE: TRUMBULL COUNTY
BROOKFIELD TOWNSHIP
RONCO RENTALS APARTMENTS
(FORMERLY MITCHELL 4-PLEX APARTMENTS)
NPDES PERMIT NO. OH0128481
OHIO EPA PERMIT NO. 3PW00026

Mr. Ron Germadnik
6747 Warren Sharon Road
Brookfield, OH 44403

Ms. Florence Mitchell
7305 Stewart Sharon Road
Hubbard, OH 44425

Dear Mr. Germadnik and Ms. Mitchell:

On April 22, 2008, this office conducted an Operation and Maintenance Inspection of the wastewater treatment plant serving the above referenced apartment building. In addition to you, also present was Mr. Steve Kramer of the Trumbull County Health Department. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the NPDES permit.

We understand that Mr. Germadnik acquired ownership of the apartment complex in March 2008. As discussed with you, an application to transfer the NPDES permit should have been filed at that time pursuant Ohio Administrative Code 3745-33-04(E). The application was completed and signed by the respective parties during the inspection. An approval of the permit transfer will be conditioned that Mr. Germadnik continues to provide satisfactory operation and maintenance of the system.

The current 1,000 gallon/day treatment system consists of a two 1,000 gallon septic tanks, 1,000 gallon recirculation/blend tank, 225 sq. ft. recirculating sand filter (RSF), and 405 gallon chlorination/dechlorination tank. At the time of the inspection, the following observations and comments were noted and discussed with you:

1. All treatment units appeared to be in operation. The final effluent being discharged appeared to be of satisfactory visual quality.
2. "Wet" spots were noted on the surface of the RSF. The cause(s) of this condition must be investigated and appropriate corrective actions implemented.
3. The tank lids should be secured, e.g. locked or bolted, to prevent unauthorized or accidental access to the tanks.
4. The facility must ensure that the treated wastewater effluent meets the disinfection standards during the period May 1st through October 31st.
5. Pursuant to the new recordkeeping requirements contained in Ohio Administrative Code (OAC) 3745-7-09, specific operation and maintenance records of the sewage system must be kept on file at the facility.

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A review of the facility's Discharge Monitoring Reports (DMRs), formerly known as Monthly Operating Reports (MORs), received by Ohio EPA for the period January 2007 through March 2008 indicate violations of the final effluent limitations of the NPDES permit. The specific instances of noncompliance are as follows:

Effluent Limitation Violations						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2007	001	Dissolved Oxygen	1D Conc	6.0	3.3	3/6/2007
June 2007	001	Dissolved Oxygen	1D Conc	6.0	2.8	6/12/2007
March 2008	001	Dissolved Oxygen	1D Conc	6.0	4.9	3/18/2008
March 2007	001	Nitrogen, Ammonia (NH3	1D Conc	6.75	20.9	3/6/2007
March 2008	001	Nitrogen, Ammonia (NH3	1D Conc	6.75	8.79	3/18/2008
March 2007	001	Nitrogen, Ammonia (NH3	30D Conc	4.5	20.9	3/1/2007
March 2008	001	Nitrogen, Ammonia (NH3	30D Conc	4.5	8.79	3/1/2008
March 2007	001	Nitrogen, Ammonia (NH3	30D Qty	0.017	.02318	3/1/2007

Monitoring/Reporting Violations						
Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2008	001	Color, Severity	1/Week	1	0	03/22/2008
March 2008	001	Odor, Severity	1/Week	1	0	03/22/2008
March 2008	001	Turbidity, Severity	1/Week	1	0	03/22/2008

We understand that Ms. Mitchell employed Mr. Brian Mosko, of Valley Environmental Labs, Inc., to provide contract operations of the treatment system. Valley has been routinely submitting the DMRs electronically via an assigned Personal Identification Number (PIN). 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". 40 CFR 122.22 (a) states that reports for a sole proprietorship can only be signed and certified by the 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.***

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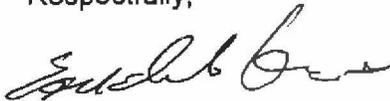
Signatory authority required pursuant to 40 CFR 122.22 (b) may be addressed under the terms of a written contract between Mr. Germadnik and a state-certified operator. A copy of the contract must be submitted to Ohio EPA. At a minimum, the contract shall specify that the certified operator be available to respond to emergencies and provide the services (i.e. inspection, monitoring, and supervision) necessary to maintain the reliable operation of the wastewater works. As the permit holder, it is the owner's responsibility to perform all daily operation and maintenance obligations not otherwise delegated to the certified operator.

Ohio EPA is currently engaged in a process to revise the electronic data reporting process, including the assignment of PINs, to comply with the requirements of the 2005 Cross-Media Electronic Reporting Regulation (CROMERR). Only the person(s) who have the privilege of submitting data, i.e. the responsible or authorized official(s), will eventually need a CROMERR-compliant PIN through Ohio EPA's eBusiness Center. A facility will also have the ability to designate individuals that only have the privilege to view, create and edit, but not submit eDMR data. The new system is expected to be available by no later than fall 2008.

Please be advised that failure to comply with the terms and conditions of the NPDES permit may be subject to enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code. 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 should include specific dates for completion of the actions.

Should you have any questions or comments regarding this letter, please contact me at (330) 963-1196.

Respectfully,



Ermelindo Gomes
Environmental Engineer
Division of Surface Water

EG/mt

cc: Brian Mosko, Valley Environmental Labs, Inc.