



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

November 21, 2012

CERTIFIED LETTER

Mr. Leo Shanayda
City of Springfield
76 East High Street
Springfield, Ohio 45502

**RE: NOTICE OF VIOLATION – NPDES PERMIT NO. 1GC04055*AD/OHC000003
SPRINGFIELD-BECKLEY PTI NO. 818058 SANITARY SEWER EXTENSION,
CLARK COUNTY**

Dear Mr. Shanayda:

On October 22, 2012, I conducted an inspection at your construction site located at Springfield-Beckley's Wastewater Treatment Plant (WWTP). Contractors had stopped dewatering the excavation pit for the lift station approximately one hour before my arrival. The dewatering activities were pumped from the pit to a small settling pond that overflowed to a steep grassy bank to Mill Creek.

The bank is grassy, but the steepness of the bank short circuits any benefit that would normally occur by a grass filter. For dewatering activities, you can only discharge ground water when there is no pollutant load. Sediment is a pollutant load and can impact the overall health of the receiving stream. Siltation was occurring in the creek and the color in the creek, immediately downstream of your discharge point, was muddy brown in color while the creek upstream of the dewatering activity was clear. We had this same conversation via an email dated April 24, 2012.

This discharge is in violation of Ohio Administrative Code (OAC) 3745-1-04, which states that to every extent practical and possible as determined by the director, these waters shall be free from suspended solids or other substances that enter the waters as a result of human activity and that will settle to form putrescent or otherwise objectionable sludge deposits, or that will adversely affect aquatic life and shall be free from materials entering the waters as a result of human activity producing color, odor or other conditions in such a degree as to create a nuisance.

Mr. Leo Shanayda
City of Springfield
November 21, 2012
Page 2

This discharge is also in violation of Part III.G.2.g.iv of National Pollutant Discharge Elimination System (NPDES) Permit No. OHC000003. This permit states that there shall be no turbid discharges to surface waters of the State resulting from dewatering activities. If trench or ground water contains sediment, it must pass through a sediment settling pond or another equally **effective** sediment control device, prior to being discharged from the construction site. Alternatively, sediment may be removed by settling in place or by dewatering into a sump pit, filter bag or comparable practice. Ground water, which does not contain sediment or other pollutants, is not required to be treated prior to discharge. Since you were discharging sediments from an excavation pit (sediment pond, sump pit or whatever you choose to call it), the pit was not sized appropriately and therefore was not effective for removing sediment prior to discharge.

On October 19, 2012, I called and asked you to physically check on this activity. What actions did you take on Friday? Your existing sediment control measure for dewatering is not adequate. The City shall *immediately* implement appropriate sediment control measures that are required by NPDES Permit No. OHC000003 to abate sediment pollution.

We also have on record a notice of violation for sediment pollution from dewatering activities on March 27, 2004, when installing the southern sewer interceptor. Considering that Clark County is known to have an unconfined buried valley aquifer, the City shall notify Ohio EPA of all future dewatering activities, so regular inspections can occur.

Please be advised that Ohio EPA is evaluating enforcement action for violations noted above. If you should have any questions, please contact me at (937) 285-6104.

Sincerely,



Sandra D. Leibfritz
Environmental Specialist
Compliance and Enforcement
Division of Surface Water

SDL\bp

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CITY OF SPRINGFIELD
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SPRINGFIELD OH 45502

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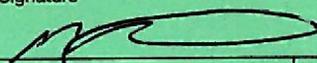
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MR LEO SHANAYDA
CITY OF SPRINGFIELD
76 EAST HIGH ST
SPRINGFIELD OH 45502

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