



NOTICE OF VIOLATION

August 1, 2013

Re: Poplar Village MHP
NPDES Permit No. 2PY00032*BD

Mr. Robert Merchant
HAP III, LP
12400 State Highway 71-W #350-245
Austin, TX 78738

Dear Mr. Merchant:

A reconnaissance inspection (RI) in September 2012 and subsequent review of your operation records (May 2012 to July 2012) and discharge monitoring reports indicate you are in violation of Ohio Administrative Code (OAC) Rules.

The RI and review of your records indicates the following:

1. In accordance with OAC Rule 3745-7-09(A)(3)(b), operation records shall at a minimum contain the dates and times of arrival and departure for the operator of record (ORC) and any other operator required by this chapter. A review of the operation records indicates the ORC did not consistently indicate times of arrival and rarely indicated times of departure.
2. In accordance with OAC Rule 3745-7-03(C), Poplar Village MHP is a Class 1 facility and is required to have an ORC physically present at the facility three days per week for a minimum of 1.5 hours per week. A review of the operations and maintenance records indicates the minimum staffing requirements were not met.
3. In accordance with OAC Rule 3745-7-09(A)(3)(c), operation records shall at a minimum contain specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of sewage conveyed or effluent produced. A review of the operation records indicates a minimal amount of operation and maintenance activities were included in the facility log book. A review of the file for this facility indicates the level of effort regarding maintenance should be increased.

4. In accordance with OAC Rule 3745-7-09(A)(3)(c), operation records shall at a minimum contain records regarding the 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 or effluent produced. A review of the operation records indicates limited entries regarding the performance of preventative maintenance and repairs or requests for repair of the equipment were included in the facility log book. A review of the file for this facility indicates the level of effort regarding maintenance should be increased.
5. In accordance with your facility's NPDES permit, flows are to be reported daily. In violation of the permit and OAC Rule 3745-33-08(A)(3), (5), and (6), from at least July 1, 2007 through July 31, 2012, data being reported on the discharge monitoring reports ("DMRs") for almost every month indicated the same flow every day for several months at a time. During the months of February and May 2013, no flow data was reported on the DMRs.
6. In accordance with OAC Rule 3745-7-04(C)(3)(b) daily visits shall be performed by the owner, supplier, or their representative or agent five days per week and noted in the operational and maintenance records. The review of the operations records indicated daily visits were not being performed five days per week.

Please provide a written response **within 15 days** of the date of this letter indicating the steps you will take to ensure compliance with the requirements above.

If you have any questions or comments, please feel free to contact me at (614) 728-1216.

Sincerely,



Andrew Barienbrock
Environmental Supervisor
Division of Drinking and Ground Water

cc: Christina Faith, Uni-Tech Environmental Services, Inc.
DSW-NWDO
Operator File