



NOTICE OF VIOLATION

August 1, 2013

Re: EMSNET Business Center
NPDES Permit No. 3PT00103*CD

EMSNET
40905 SR 18
Wellington, OH 44090
Attn: Christopher Sudnick

Dear Mr. Sudnick:

A reconnaissance inspection (RI) in October 2012 and subsequent review of your operation records (July 2012 to September 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 3745-7-02(A)(2)(a) and (b), the owner or operator of a treatment works or sewerage system shall notify the director of the identity of an operator of record upon request or in the event of a change in such position. Notification shall be made on a form acceptable to the director within three days of a change. A review of the operation records indicates Tim Cox was acting as an operator of record (ORC) for your facility. Ohio EPA was not timely notified of this change.
2. In accordance with OAC Rule 3745-7-09(C)(1), the duties of an operator of record shall include responsible and effective on site management and supervision of the technical operation of the treatment works. A review of the operation records indicates the ORCs you have designated were not performing the onsite management and supervision of the technical operation during the periods when only Tim Cox visited the facility.
3. In accordance with OAC Rule 3745-7-09(C)(2), the duties of an operator of record shall include immediately notifying the permittee or owner of a treatment works, and ensuring the agency and, if applicable, the local regulatory agency, is notified of items that require notification in accordance with section 6111. of the Revised Code, the rules adopted thereunder, or the facility's NPDES permit. A review of Ohio EPA records indicates Ohio EPA was not notified of a change in your ORC.

4. 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 ORC and any other operator required by this chapter. A review of the operation records indicates the ORCs rarely indicated times of departure.
5. In accordance with OAC Rule 3745-7-03(C), EMSNET Business Center is a Class A facility and is required to have an ORC physically present at the facility two days per week for a minimum of 1 hour per week. A review of the operations and maintenance records indicates the minimum staffing requirements were not met.
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,

A handwritten signature in black ink, appearing to read "Andrew Barienbrock for". The signature is fluid and cursive.

Andrew Barienbrock
Environmental Supervisor
Division of Drinking and Ground Water

cc: Christina Faith, Uni-Tech Environmental Services, Inc.
Don Daley, Uni-Tech Environmental Services, Inc.
Tim Cox, Uni-Tech Environmental Services, Inc.
DSW-NEDO
Operator File