



**Environmental
Protection Agency**

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

December 19, 2011

RE: MAHONING COUNTY
BERLIN TWP.
MILL CREEK REC. AREA
NPDES PERMIT NO 3PN00000

NOTICE OF VIOLATION

Ms. Rene' Berberich,
USACOE, Mill Creek Rec. Area
7400 Bedell Road
Berlin Center, OH 44401

Ms. Berberich:

Throughout the 2011 recreational season, the Mill Creek Recreational Center reported to be in Significant Noncompliance (SNC) for Total Suspended Solids (TSS). Effluent monitoring reports showed that the facility was in violation of TSS limits during each month the facility was open to the public in 2011.

Following is a list of the reported violations:

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
May 2011	Total Suspended Solids	30D Qty	1.4	3.83799	5/1/2011
May 2011	Total Suspended Solids	7D Qty	2.0	3.83799	5/22/2011
June 2011	Total Suspended Solids	30D Conc	12	27.775	6/1/2011
June 2011	Total Suspended Solids	7D Conc	18	57.6	6/1/2011
June 2011	Total Suspended Solids	30D Qty	1.4	1.46404	6/1/2011
June 2011	Total Suspended Solids	7D Qty	2.0	2.61619	6/1/2011
June 2011	Total Suspended Solids	7D Conc	18	32.	6/15/2011
July 2011	Total Suspended Solids	30D Conc	12	20.875	7/1/2011
July 2011	Total Suspended Solids	7D Conc	18	20.5	7/1/2011
July 2011	Total Suspended Solids	7D Conc	18	46.5	7/8/2011
July 2011	Total Suspended Solids	7D Qty	2.0	2.28803	7/8/2011
August 2011	Total Suspended Solids	30D Conc	12	15.375	8/1/2011
August 2011	Total Suspended Solids	7D Conc	18	38.5	8/8/2011
August 2011	Total Suspended Solids	7D Qty	2.0	2.76873	8/8/2011
September 2011	Total Suspended Solids	30D Conc	12.0	13.5	9/1/2011
September 2011	Total Suspended Solids	7D Conc	18.0	26.	9/8/2011

The cause of the violations can be attributed to the inoperable rapid sand filters at the facility. The tertiary filters are necessary to polish the treated wastewater prior to discharge.

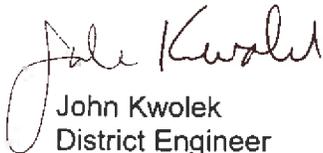
Be advised that action must be taken by the United States Army Corps of Engineers (USACOE) to incorporate tertiary treatment into the system. Either the existing rapid sand filters must be

repaired, or new tertiary treatment must be installed. New tertiary treatment can include new rapid sand filters, slow surface sand filters, disc filters, or an alternative system that is capable of consistent compliance with the final total suspended solids (TSS) limit of the permit.

Please provide a response to this Notice of Violation (NOV) no later than January 15, 2012. The response must indicate the actions that will be taken to bring the system into consistent compliance and a schedule for implementing the actions. The final target date for full implementation of the proposed actions should be April 1, 2012. In the event that installation of a new tertiary treatment system is the selected alternative, a permit-to-install (PTI) from the Director of Ohio EPA may be necessary per Ohio Administrative Code (OAC) 3745-42.

You may contact this writer at (330) 963-1251 or at john.kwolek@epa.state.oh.us to discuss any questions you may have regarding this inspection report.

Respectfully,



John Kwolek
District Engineer
Division of Surface Water

JK/cs

cc: Randy Fabrizio, Operator of Record