



**Environmental
Protection Agency**

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

RE: **Notice of Violation**
Auglaize County
ODOT Park Area 7-26
ODOT Park Area 7-33

February 7, 2012

Mr. Lonnie C. Falknor
Building Maintenance Superintendent 2
ODOT District 7
1001 St. Marys Avenue
Sidney, Ohio 45365

Dear Mr. Falknor:

We are in receipt of your self-monitoring report covering the months of October through December 2011 for the above referenced facilities. Our review indicates violations of the conditions of your NPDES permits. The specific instances of non-compliance are enclosed on separate sheets. Further review of your self-monitoring reports for ODOT Park Area 7-26 for the previous six months, ending in December 2011, indicates that you are in significant non-compliance (SNC) with several effluent limitations contained in your NPDES permit. The specific instances of SNC are enclosed on a separate sheet.

We have received an email response from Mr. Neil Rohrbach on January 19, 2012, regarding the above referenced violations for October and November 2011 at the ODOT Park Area 7-26. Please inform this office in writing as to the reasons for the above referenced violations for ODOT Park Area 7-33. Your response should include the dates, either actual or proposed, for completion of the actions.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements, including adequate laboratory controls, appropriate quality assurance procedures, and records retention, as specified in your Part III-General conditions of your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code, Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. Information about Ohio EPA's Office of Compliance Assistance & Pollution Prevention can be found on Ohio EPA's Website at <http://epa.ohio.gov/ocapp> or by calling (614) 644 – 3469.

If there are any questions, please contact me at (419) 373 – 3022.

Sincerely,


Justin A. Williams
Division of Surface Water

/jlm
Enclosures
pc: Mr. Rick Puderbaugh
ec: Inspection Tracking

Northwest District Office
347 North Dunbridge Road
Bowling Green, OH 43402-9398

419 | 352 8461
419 | 352 8468 (fax)
www.epa.ohio.gov

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Violations for ODCRT Reg Area 7-26 - October - December 2011

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PP00025*FD	November 2011	001	80082	CBOD 5 day	7D Conc	15.0	18.72	11/15/2011
2PP00025*FD	November 2011	001	00610	Nitrogen, Ammonia (NH3	7D Qty	0.48	.84633	11/15/2011
2PP00025*FD	November 2011	001	00610	Nitrogen, Ammonia (NH3	7D Conc	4.5	52.	11/15/2011
2PP00025*FD	November 2011	001	00530	Total Suspended Solids	7D Conc	18.0	30.	11/15/2011
2PP00025*FD	November 2011	001	80082	CBOD 5 day	30D Conc	10.0	18.72	11/1/2011
2PP00025*FD	November 2011	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.32	.84633	11/1/2011
2PP00025*FD	November 2011	001	00610	Nitrogen, Ammonia (NH3	30D Conc	3.0	52.	11/1/2011
2PP00025*FD	November 2011	001	00530	Total Suspended Solids	30D Conc	12.0	30.	11/1/2011
2PP00025*FD	October 2011	001	80082	CBOD 5 day	7D Conc	15.0	19.1	10/22/2011
2PP00025*FD	October 2011	001	31616	Fecal Coliform	7D Conc	2000	2419.6	10/22/2011
2PP00025*FD	October 2011	001	00610	Nitrogen, Ammonia (NH3	7D Qty	0.16	.39031	10/22/2011
2PP00025*FD	October 2011	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	25.78	10/22/2011
2PP00025*FD	October 2011	001	00530	Total Suspended Solids	7D Conc	18.0	22.	10/22/2011
2PP00025*FD	October 2011	001	31616	Fecal Coliform	7D Conc	2000	2419.6	10/15/2011
2PP00025*FD	October 2011	001	31616	Fecal Coliform	7D Conc	2000	2419.6	10/8/2011
2PP00025*FD	October 2011	001	80082	CBOD 5 day	30D Conc	10.0	19.1	10/1/2011
2PP00025*FD	October 2011	001	31616	Fecal Coliform	30D Conc	1000	2419.6	10/1/2011
2PP00025*FD	October 2011	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.11	.39031	10/1/2011
2PP00025*FD	October 2011	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	25.78	10/1/2011
2PP00025*FD	October 2011	001	00530	Total Suspended Solids	30D Conc	12.0	22.	10/1/2011

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Get Detail
for Selected
Permit

Facilities in Significant Non-Compliance **

Period: Jul-11 Dec-11

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max % Exceed	# Months Signif Exceed (1)**	# Months Exceed (2)**
Auglaize	2PP00025	ODOT No 7-26			1 00530	Total Suspended Solids	150	3	3
Auglaize	2PP00025	ODOT No 7-26			1 00610	Nitrogen, Ammonia (NH3)	5521	5	5
Auglaize	2PP00025	ODOT No 7-26			1 31616	Fecal Coliform	142	3	3
Auglaize	2PP00025	ODOT No 7-26			1 80082	CBOD 5 day	218.5	3	3

Footnotes

for Significant NonCompliance

** Significant non-compliance with effluent limits occurred if one or more pollutants met the following conditions:

1. During 2 or more months, the reported effluent concentration (or computed load) for a parameter exceeded an effluent limit by:
 - a. 40% for Group 1 pollutants **plus Fecal Coliform**
 - b. 20% for Group 2 pollutants **plus pH, Temperature, whole effluent toxicity**

-- or --
2. During 4 or more months, the reported concentration (or computed load) exceeded the limit by > 1%.

Note: This method differs from USEPA Significant Non-compliance (SNC) method in the following ways:

- USEPA only evaluates SNC for average limits. In above analyses, maximum and weekly limits were also considered.

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Violations for CDOT Reg Area 7-33 - October - December 2011

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PP00026*ED	December 2011	001	80082	CBOD 5 day	7D Conc	15	25.08	12/22/2011
2PP00026*ED	December 2011	001	00530	Total Suspended Solids	7D Conc	18	24.	12/22/2011
2PP00026*ED	December 2011	001	80082	CBOD 5 day	30D Conc	10	25.08	12/1/2011
2PP00026*ED	December 2011	001	00530	Total Suspended Solids	30D Conc	12	24.	12/1/2011