



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

March 1, 2012

RE: Holmes County
Holmesville WWTP
NPDES Permit No. OH0125903
Ohio EPA Permit No. 3PB00069*DD
Sewage Sludge Inspection

Notice of Violation

Mayor and Council
Village of Holmesville
P.O. Box 113
Holmesville, Ohio 44633

Dear Mayor and Council:

On February 1, 2012, a sewage sludge inspection was conducted in order to determine compliance with Ohio Administrative Code (OAC), chapter 3745-40, Ohio's sewage sludge rules, at the Village of Holmesville wastewater treatment plant (WWTP), National Pollutant Discharge Elimination System (NPDES) permit No. 3PB00069*CD. Erik Folcell, Operator, was present during the sewage sludge inspection and provided information regarding the WWTP's sewage sludge operations and records. Thomas Abraham of Agri-Sludge, Inc. was available during the sewage sludge inspection via telephone. The sewage sludge inspection consisted of a review of the WWTP's contact information, completion of a compliance checklist, a review of the WWTP's sewage sludge records, and an evaluation of the WWTP sewage sludge treatment units.

WWTP Information

The WWTP has a design treatment capacity of 95,000 gallons of wastewater per day and currently treats approximately 20,000 gallons of wastewater per day. Sewage sludge is treated within two aerated holding tanks and one lagoon. Mixing of the lagoon occurs one hour per day when the lagoon is not frozen. Onsite sewage sludge storage capacity exceeds one hundred twenty days.

Pathogen Reduction

During calendar year 2011, the WWTP failed to satisfy a pathogen reduction alternative despite beneficial use occurring. Since a pathogen reduction alternative was not satisfied, sewage sludge was land applied, which is prohibited in the State of Ohio. OAC 3745-40-09(B)(3) establishes that *"to ensure that pathogen reduction requirements are met prior to beneficial use, monitoring shall occur for pathogen reduction prior to beneficial use."*

The failure to satisfy a pathogen reduction alternative prior to beneficial use, constitute violations of Ohio Revised Code (ORC), Chapter 6111.07(A), OAC 3745-40-03(A)(2), OAC 3745-40-09(B)(3), and Part II(J) of the NPDES permit.

Monitoring Frequency

Monitoring of the sewage sludge is to occur on an annual frequency. No monitoring of metals and pathogen reduction occurred during calendar year 2011 despite the beneficial use of biosolids occurring. The 2011 annual sewage sludge report and electronic Discharge Monitoring Report (eDMR) data submitted to Ohio EPA utilized analytical results from calendar year 2010.

The failure to monitor pollutants in accordance with the WWTP's NPDES permit constitutes violations of ORC 6111.07(A), OAC 3745-40-09(B), and Part 1B of the NPDES permit.

Beneficial Use

The WWTP performs beneficial use of biosolids approximately every two months. **Effective immediately, the WWTP is prohibited from land applying sewage sludge.** Prior to the beneficial use of biosolids, the WWTP must perform all required monitoring in order to verify that the metals concentrations and a pathogen reduction alternative has been achieved.

Standard Operating Procedure

OAC 3745-40-09(C)(3) requires that a standard operating procedure (SOP) be developed that, at a minimum, includes the following information:

- (i) Sample collection or monitoring locations;
- (ii) The frequency at which sample collection or monitoring is to occur;
- (iii) Sample collection or monitoring procedures;
- (iv) Sample storage and preservation procedures; and
- (v) Sample or monitoring analysis procedures, including any calculations required for sample or monitoring analysis.

The WWTP has not developed the required SOP. The failure to develop a SOP constitute violations of ORC 6111.07(A), OAC 3745-40-09(C)(3), and Part II(J) of the NPDES permit.

Falsified Information

On the 2011 annual sewage sludge report (Form 4229), the Station 581 certification statement stating that for pathogen reduction was signed despite a pathogen reduction alternative not being performed. In addition, the notice and necessary information (NANI) requires the following statement to be provided to the initial person receiving biosolids:

"The material you are receiving is or contains biosolids that have been treated to meet the requirements in Chapter 3745-40 of the Administrative Code."

The December 5, 2011 NANI included this information despite the WWTP generating a sewage sludge that failed to satisfy applicable requirements within OAC 3745-40.

ORC 2921.13 (A) establishes that no person shall knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when the statement is in writing on or in connection with a report or return that is required or authorized by law and the statement is made on an account, form, record, stamp, label, or other writing that is required by law.

The falsification of certification statements and NANI information constitute violations of ORC 2921.13(A)(7) and ORC 2921.13(A)(11).

Agronomic Rate Calculation

Land application of sewage sludge last occurred November 10, 2011. An agronomic rate calculation was performed utilizing analytical data from November 11, 2010. The WWTP must immediately begin utilizing current analytical data. Ohio EPA highly recommends that all monitoring for the calendar year be performed prior to the initial beneficial use to ensure that a Class B biosolid has been achieved.

Notice and Necessary Information

The December 5, 2011 NANI was developed utilizing November 12, 2010 analytical data. The WWTP must immediately begin utilizing current analytical data on all NANI forms.

Screening Requirements

Please be aware that OAC 3745-40-02(C)(3)(a) will require screening to be performed in one of the following methods starting July 1, 2015:

- (i) *Screening influent wastewater and influent septage through a bar screen with a maximum aperture of five-eighths inch (1.59 centimeters) designed to screen the average daily design flow;*
- (ii) *Screening all biosolids through a bar screen with a maximum aperture of five-eighths inch (1.59 centimeters) prior to beneficial use; or*
- (iii) *Obtaining approval from the director for an alternative method that achieves a removal rate equal to or greater than that achieved by the screening standards in paragraph (C)(3)(a)(i) or (C)(3)(a)(ii) of this rule.*

Currently, the WWTP does not have any screening at the headworks or of the biosolids. The WWTP should begin evaluating screening alternatives in order for the beneficial use of biosolids to continue after July 1, 2015. Please be aware that a permit-to-install (PTI) application may be required to be submitted for Ohio EPA approval prior to the installation of any upgrades to the WWTP.

Corrective Action

The Village of Holmesville's sewage sludge program was in violation of OAC 3745-40. In order to address the violations, detailed above, a report must be submitted that provides the corrective action(s) that will be implemented to address each violation and the new procedures that will be established to ensure that these violations will not occur in the future. The report must also include the dates when each corrective action will be implemented and completed.

HOLMESVILLE WWTP
MARCH 1, 2012
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Should you have any questions regarding the sewage sludge inspection, please contact me at your earliest convenience at (330) 963-1118.

Sincerely,

A handwritten signature in black ink, appearing to read 'CM', is positioned above the typed name.

Chris Moody
Environmental Specialist II
Division of Surface Water

CM/cs

cc: Lonnie McGhee, Jr., McGhee's Technical Water Services, Inc.
Thomas Abraham, Agri-Sludge, Inc.