



**Environmental  
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

May 17, 2012

SUMMIT COUNTY  
COPLEY TOWNSHIP  
FOXTAIL GLEN APARTMENTS  
(FORMER MARTIN HOUSE APTS)  
COMPLIANCE EVALUATION INSPECTION  
**NOTICE OF VIOLATION**  
OHIO EPA NO. 3PW00008

Gross Family Limited  
Attn: Scott Gross  
915 Mull Avenue, Suite 1-A  
Akron, OH 44313

Dear Mr. Gross:

On May 16, 2012, a Compliance Evaluation Inspection was conducted at the wastewater treatment plant (WWTP) serving the former Martin House Apartment complex. The purpose of the inspection was to observe the operation and maintenance of the plant, and to determine whether the facility has been in compliance with its National Pollutant Discharge Elimination System (NPDES) permit. Furthermore, it is understood that the new owners are requesting permission to modify 14 one-bedroom units (of the total 102 one-bedroom units) to two-bedroom units.

It is understood that Gross Family Limited may have recently purchased this apartment complex. As you know, the apartment complex's WWTP is under an NPDES permit for its wastewater discharge. Enclosed is another copy of the plant's NPDES permit for your records.

An Ohio NPDES permit is transferable. The transfer of any permit and its associated responsibility, coverage, and liability is subject to the approval of the director of Ohio EPA. In order to transfer the permit to Gross Family Limited, the enclosed form must be completed and signed by both the permittee and the transferee.

During the recent WWTP inspection, the following observations and/or deficiencies were noted:

1. It was noticed that many trees have been removed from the property. Because the WWTP operator has mentioned that falling leaves and pine needles have been causing operation problems in the plant, the removal of the trees may prove beneficial.
2. For safety reasons, one of the aeration tanks appears to need new and/or repaired grating.
3. The extended aeration treatment plant was running and appeared to be receiving adequate air. However, the mixed liquor in the tank was extremely dark in color, and

there was an extreme amount of black foam. It is directed that solids be wasted from the system immediately.

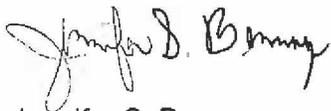
4. The clarifier was full of black solids. It should be scraped down and pumped out as soon as possible.
5. The surface sand filters need cleaned of weeds.
6. Several buckets of drying solids were sitting around the plant. These buckets deter from the plant's esthetics. Please make certain that these dried solids are properly disposed. They should be placed in a watertight contained and placed with the remainder of the site's trash, which ultimately proceeds to a solids waste landfill.

Upon review of the electronic Discharge Monitoring Reports submitted for the plant from January 2012 through April 2012, no numeric effluent violations or monitoring violations were noted.

According to Ohio Administrative Code 3745-42-05, an apartment building generates 120 gallons per day of sewage per bedroom. So, with the proposed 88 one-bedroom apartment units and the 14 two-bedroom units, there would be approximately 13,920 gpd of wastewater generated. The facility's existing 25,000 gpd WWTP should be adequately sized for the proposal.

In conclusion, this office directs that you, with the assistance of your certified WWTP operator, provide a written explanation and correction plan concerning the above-mentioned deficiencies. Also, please submit the NPDES transfer application form as soon as possible. If you have any questions concerning this letter, please contact this office at (330) 963-1151.

Sincerely,



Jennifer S. Bennage  
Environmental Engineer  
Division of Surface Water

JSB/cs

cc: Paul Header, Header Maintenance  
Sue Schultz, Copley Twp. Zoning  
Tom LaPlante, Summit County Health Dept.  
Rich Hawkins, Gross Family Limited  
Randy Parsons

Enclosures