



**Environmental
Protection Agency**

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

June 26, 2012

RE: AMHERST WPCC
3PD00001*KD
INDUSTRIAL STORMWATER
LORAIN COUNTY

NOTICE OF VIOLATION

Mr. Alan Brailer
Superintendent
Amherst WPCC
206 S. Main Street
Amherst, OH 44001

Dear Mr. Brailer:

On May 21, 2012, an inspection of your facility, located at 931 N. Lake Street, Amherst, Ohio was conducted to determine compliance with National Pollutant Discharge Elimination System (NPDES) storm water regulations. Our records show that your facility has both a general NPDES permit for storm water associated with industrial activity (#3GR00938*EG) and storm water language (Parts IV, V and VI) within your individual NPDES permit #3PD00001*KD. One of these storm water discharge authorizations is redundant and must be terminated. If the Amherst WPCC intends to maintain general NPDES permit coverage, please submit an NPDES permit modification request to Chuck Allen of this office requesting that Parts IV, V and VI be dropped from NPDES permit #3PD00001*KD, citing the general NPDES permit coverage as the reason for the modification. The NPDES modification request form can be found on our website at <http://www.epa.ohio.gov/dsw/permits/npdesform.aspx>. If you intend to maintain storm water discharge authorization through the individual NPDES permit, please submit a Notice of Termination (NOT) for the general permit. The NOT can be found on our website at www.epa.ohio.gov/dsw/storm/stormform.aspx. Please clarify which storm water discharge authorization the City intends to keep moving forward.

For purposes of this Notice of Violation, Ohio EPA used the individual permit (#3PD00001*KD) as the basis of inspection. Ohio Administrative Code 3745-38-02(D) provides indication that, once a person is issued individual NPDES permit coverage for a discharge, coverage under the general NPDES permit is automatically terminated. Thus, Ohio EPA felt it was appropriate to use the individual permit as the basis of this inspection. Attached is the completed Facility Inspection Worksheet, which was filled out at the time of inspection.

The Amherst Water Pollution Control Center (WPCC) plant covers six acres along the west bank of the Beaver Creek. Beaver Creek drains into Lake Erie three miles to the north. All plant storm water flows directly to this creek, either by runoff, or through two catch basin drains. These drains converge and empty into Beaver creek along with an additional catch basin.

Our review of the Storm Water Pollution Prevention Plan (SWPPP) revealed that it was incomplete leading to the following violations of the NPDES permit as well as some deficiencies:

Violations

- **Failure to include locations of storm water inlets and outfalls on the site map.** This is a violation of Part IV.D.a.1 of the NPDES permit. The permit requires that each outfall be mapped and labeled with a unique identification code.
- **Failure to meet signature requirements.** This is a violation of Part IV.B.1 of the NPDES permit. The SWPPP must be signed and include the date of signature. The copy we received had a certification statement, but was not signed. The Non-Stormwater Discharge Certification was also not signed on the copy we received.
- **Failure to document annual employee training on the SWPPP.** This is a violation of Part IV.D.e of the NPDES permit. No employee training materials, schedules, or records of attendance were included with the SWPPP.
- **Failure to include comprehensive site evaluation and routine facility inspection results with the SWPPP.** This is a violation of Part IV.D.4 and IV.D.3.d, respectively, of the NPDES permit. The SWPPP indicated that comprehensive site evaluations are to be conducted at least annually and routine scheduled inspections are to be conducted bi-monthly. Results from such evaluations must be kept with the SWPPP.

Deficiencies

- The Storm Water Pollution Prevention Team currently only lists titles and responsibilities of individuals. This section should include specific names of all team members along with their contact information so they may be reached should an issue occur. This information should then be edited each time a position change is made to include the new official.

In addition to these violations, we noted the following concerns during this inspection:

Inspection Observations

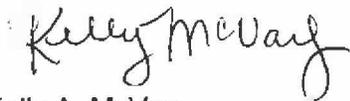
1. Used oil containers inside the maintenance shop were labeled "Waste Oil". All used oil containers must be labeled "Used Oil".
2. A rag dumpster was left outside and uncovered outside of the headworks building. Leachate was dripping from this dumpster collecting on the ground. This leachate is an unauthorized non-storm water discharge, which is not acceptable. As discussed, this dumpster should be kept covered and moved inside of the headworks building to prevent any leachate from reaching your storm sewer system.
3. Dried materials from the dewatering pad are transferred by truck over to the dumpster by the headworks building. This is a point of exposure. It was recommended that the dumpster might be moved closer to the dewatering pad to prevent any spills from occurring while transporting the materials to the dumpster.

4. The scum dumpster off the clarifier was located indoors, but appeared to be leaking to the outside. As discussed, the leachate from this area needs better direction to collect it towards the floor drain, which goes to sanitary. Changing the grade of the floor to slope towards the floor drain or adding a berm to help contain the leachate inside of the building are some possible options, which were presented during the inspection.
5. The sludge loading area is a point of exposure. Spills and leaks occasionally occur here and signs of a recent spill due to operator error were present at the time of inspection. Employees who work in this area must be given the proper training so that they know how to properly prevent and react to spills such as this. Further, a spill kit should be placed near this area to clean up spills when they occur.
6. The fueling station was equipped with leak guards; however, some signs of staining indicated they may have leaked. Be aware of this area and inspect it regularly so that these leak guards may be replaced if they should stop functioning properly. It was also recommended at the time of inspection that a spill kit be located closer to the fuel tank, rather than inside the lab building, to make it more accessible.

You are directed to provide me with a letter of response indicating the actions you will take to address the concerns and violations noted above. Your plan for corrective action and updated SWPPP must be submitted to the Ohio EPA **no later than July 15, 2012**.

If you should have any questions concerning this letter, feel free to contact this writer at (330) 963-1125 or by email at kelly.mcvay@epa.state.oh.us.

Sincerely,



Kelly A. McVay
Assistant to the District Engineer
Division of Surface Water

KM/cs

cc: Ron Merthe, Superintendent of Utilities, City of Amherst
David Taylor, Mayor, City of Amherst
Clarence Watkins, City Engineer, Bramhall Engineering

ec: Chuck Allen, Ohio EPA, DSW, NEDO

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REPORT ON DETAIL PLANS AND LAND APPLICATION MANAGEMENT PLAN FOR AN EXISTING WWTP FOR TASS ENTERPRISES, LTD, LOCATED IN RICHMOND TOWNSHIP, ASHTABULA COUNTY (PTI #875034).

On May 1, 2012, detail plans and a Land Application Management Plan for the above referenced project were received by the Northeast District Office of the Ohio Environmental Protection Agency. The plans were prepared by Craig Pierce of Conneaut, Ohio on behalf of Tass Enterprises, Ltd (Applicant). Additional information was requested and received on June 26, 2012.

The project consists of a Land Application Management Plan for a wastewater treatment system and land application that was approved by a permit-to-install (PTI) in 2004. The existing system consists of a 20,000-gallon primary treatment tank, 25,000-gallon flow equalization tank, 6,000 gpd Orencotm fixed media aeration system, ultraviolet disinfection, 900,000-gallon holding pond, 1,500-gallon septic/dosing tank, pump station, and a 4.6 ac spray distribution area consisting of six zones or four rotary sprinkler heads per each zone. The system is designed not to discharge to surface waters.

This project is to serve an indoor motorcycle arena with a weekend design flow of 9,000 gpd and a weekday flow of 750 gpd. Wastewater flows are from restrooms only, with no foodservice at this location. The site is located at 3371 State Route 7, Richmond Township, Ashtabula County. The wastewater treatment facility and spray distribution area is located northwest of the Tass Motocross Complex.

Wastewater treatment system land application management plan data sheets were completed and submitted with the plans. The WWTP will be owned by Tass Enterprises, Ltd., and operated by Craig Pierce under contract to Tass Enterprises, Ltd.

Estimated cost of the project is \$49,874.65.

Summary

Detail plans of the above referenced project appear satisfactory and it is recommended they be approved subject to the usual conditions.

Prepared By:

Reviewed By:

John M. Schmidt, P.E.
Environmental Engineer
Division of Surface Water

Virginia L. Wilson, P.E.
Unit Supervisor
Division of Surface Water

JMS/MLW/cs
June 26, 2012

File: Semipublic/Ashtabula/Richmond Twp/Tass Motocross