



**Environmental
Protection Agency**

John E. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nisly, Director

June 5, 2012

RE: SUMMIT COUNTY
GREENTREE PLACE #4866
NPDES PERMIT NO. OH0089711
OHIO EPA PERMIT NO. 3PR00103*DD
SEWAGE SLUDGE INSPECTION

NOTICE OF VIOLATION

Jean Hobbs
Greentree Place
P.O. Box 157
Green, Ohio 44232

CERTIFIED MAIL

Dear Ms. Hobbs:

On May 30, 2012, a sewage sludge inspection was conducted in order to determine compliance with Ohio Administrative Code, Chapter (OAC) 3745-40, Ohio's sewage sludge rules, at the Greentree Place #4866 wastewater treatment plant (WWTP). The facility was represented by you; Don Whittingham, operator of record; and Joel Helms who provided information regarding the WWTP's sewage sludge operations. The sewage sludge inspection consisted of a review of the WWTP's contact information and sewage sludge records, completion of a compliance checklist, and an inspection of the sewage sludge treatment units.

WWTP information

The WWTP has a design treatment capacity of 14,000 gallons of wastewater per day (GPD) and currently treats approximately 2,000 to 4,000 GPD. Sewage sludge is treated within one 2,200-gallon aerobic digester. The onsite sewage sludge storage capacity is approximately one year. According to Ms. Hobbs and Mr. Whittingham, a permit-to-install (PTI) application for WWTP upgrades was submitted to Ohio EPA in February or March of 2012.

Sewage Sludge Management

According to the 2011 annual sewage sludge report (Form 4229), the WWTP is generating class B biosolids by performing pathogen reduction (PR) alternatives P-2, aerobic digestion, P-3, air drying, and P-6, lime treatment, and vector attraction reduction (VAR) options VAR-1, 38% volatile solids reduction, and VAR-6, alkali addition.

No records regarding PR and VAR have been maintained by the WWTP. **Failure to perform and document a PR and VAR constitute violations of Ohio Revised Code (ORC), Chapter 6111.07, OAC 3745-40-04, and Ohio Administrative Code (OAC) 3745-40-09.**

Beneficial Use

The WWTP's NPDES permit, No. 3PR00103*DD, only authorizes the transfer of sewage sludge via Station 588 to another publicly owned treatment works (POTW). In order for beneficial use of biosolids to occur, the WWTP's NPDES permit must include Station 581, land application of Class B biosolids. **The treatment, storage, transfer, or disposal of sewage sludge or the**

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beneficial use of biosolids that is not in accordance with an NPDES permit constitutes violations of ORC 6111.04(A), 6111.07(A) and Part I.B of the NPDES permit.

Metal Concentrations

In order for beneficial use of biosolids to occur from the WWTP, the treated sewage sludge must also be monitored annually for arsenic, cadmium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc. No records documenting the concentration of metals in the sewage sludge have been maintained by the WWTP. **The failure to perform metals monitoring of sewage sludge constitute violations of ORC 6111.07 and OAC 3745-40-04.**

Surface Disposal

Since the WWTP failed to perform a PR, a VAR, metals monitoring, and an agronomic rate calculation, and beneficial use occurred on a site that was not authorized by Ohio EPA, surface disposal of sewage sludge was performed. The surface disposal of sewage sludge is prohibited in the State of Ohio. **Performing the surface disposal of sewage sludge constitute violations of ORC 6111.07, OAC 3745-40-02(E)(1), and OAC 3745-40-02(E)(2).**

Records Retention

The WWTP has not maintained any records regarding the beneficial use of biosolids. **The failure to maintain appropriate records constitute violations of ORC 6111.07, OAC 3745-40-04(A)(2), and OAC 3745-40-09.**

Solid Waste Management

Mr. Helms detailed that lime is added to the solid materials that have accumulated within the WWTP's trash trap. Land application of the lime/solid materials from the trash trap then occurs. Please be advised that the solid materials collected within the WWTP's trash trap are classified as solid waste and the land application of these materials would be considered open dumping of solid waste. This matter will be referred to Ohio EPA's Division of Materials and Waste Management and the Summit County Public Health Department for resolution.

Corrective Action

Greentree Place #4866 is in violation of ORC 6111 and OAC 3745-40. **Effective immediately, the beneficial use of biosolids from the WWTP is prohibited until such time as all applicable requirements established within OAC 3745-40 have been satisfied and the WWTP's NPDES permit has been modified to include Station 581.** Ohio EPA highly recommends that you begin utilizing a contracted service to remove sewage sludge from the WWTP and transport it to another POTW for proper treatment.

Within ten days of receiving this notice of violation, written correspondence must be submitted to my attention detailing how the above violations will be addressed and how sewage sludge generated at the WWTP will be managed in the immediate future. In addition, the written correspondence must also provide the following information detailing the location where the surface disposal of sewage sludge occurred:

1. The name and contact information of the owner of the property where surface disposal of sewage sludge occurred;

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2. The location (i.e. street address or the global positioning system (GPS) coordinates (i.e. "Latitude" and "Longitude" for the approximate center of the property) where surface disposal of sewage sludge occurred;
3. The number of acres where surface disposal of sewage sludge occurred; and
4. A map that highlights the boundary where surface disposal of sewage sludge occurred.

Please be aware that violations of ORC, Chapter 6111, are punishable by fines up to \$10,000 a day per violation. Should you have any questions regarding the sewage sludge inspection, please contact me at your earliest convenience at (330) 963-1118 or via e-mail at chris.moody@epa.ohio.gov.

Sincerely,



Chris Moody
Environmental Specialist II
Division of Surface Water

CM/cs

- cc: Don Whittingham
A-1 Feller Drain Service
- ec: Rich Blasick, Ohio EPA, DSW, NEDO
Dean Stoll, Ohio EPA, DSW, NEDO
Jennifer Bennage, Ohio EPA, DSW, NEDO
Dave Dysle, Ohio EPA, DMWM, NEDO
Mark Mann, Ohio EPA, DSW, CO
Larry Reeder, Ohio EPA, DSW, CO
Jacob Howdysshell, Ohio EPA, DSW, CO
Andrew Gall, Ohio EPA, DSW, NWDO
Brent Paulus, Summit County Public Health
Don Whittingham, Aqua Blue, Inc.

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