



**Environmental
Protection Agency**

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

August 9, 2012

RE: CUYAHOGA COUNTY
BROOK PARK
INDUSTRIAL STORM WATER
ATHENS FOODS INC
PERMIT NO: 3GR01144

NOTICE OF VIOLATION

Mr. Jeff Swint
Athens Foods, Inc.
13600 Snow Road
Brook Park, OH 44142

Dear Mr. Swint:

On August 1, 2012, this writer conducted an inspection of your facility, located at 13600 Snow Road, Brook Park, Ohio to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Industrial Activity. As a representative of Athens Foods Incorporated, you were present during the inspection.

Storm Water Pollution Prevention Plan (SWPPP)

During my inspection, it was noted that this facility has not developed an SWPPP. **Please note that this is a violation of the NPDES permit.** Part 5 of the NPDES permit requires you to create a SWPPP within 180 days of the initial submittal of a Notice of Intent (NOI) application.

Failure to comply with the NPDES permit is a violation of Ohio Revised Code (ORC) 6111.04. Violations of ORC 6111 are punishable by fines of up to \$25,000 per day of violation. Athens Foods Incorporated will remain in violation of ORC 6111 until an SWPPP is developed and submitted to Ohio EPA.

Guidance on developing the SWPPP is available from our website at:

http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx

Please refer to Part 5 of the NPDES permit for the required contents of the SWPPP. However, in general, the plan should contain a site map that shows the storm water drainage system and points of discharge from your site, the location of possible contaminants to storm water, location of all surface water bodies, and any best management practices (BMPs) that are currently in place or that must be implemented to address pollutant sources. The plan must also provide annual storm water training for pertinent employees and verification that training was conducted with the employees. You are also required to conduct quarterly visual monitoring of your storm water discharges beginning the third quarter of 2012, and according to your Standard Industrial Classification (SIC) Code 2051: Bakery Products, your sector-specific requirements can be found in Part 8, Subpart U of the NPDES permit.

In addition to noting this violation, I provide the following comments concerning your site and observations made during the site inspection:

General

1. This site is the location of Athens Foods Incorporated, a facility that makes frozen dough and other flour based products as described by SIC Code 2051: Bakery Products.
2. Storm drains on the property flow south and connect to the city of Brook Park's Municipal Separate Storm Sewer System along Snow Road.
3. There are no storm water drains inside the facility.

Inspection Observations

1. A few waste dumpsters are located near the northwest corner of the building. The dumpsters were covered by lids. Make sure the dumpsters are covered, when not in use, to prevent the collection of storm water and the formation of leachates.
2. In the loading/unloading docks, always keep an eye out for any trucks leaking oils. Implement good housekeeping procedures to make sure the staff knows how to properly address this situation. If a truck is seen leaking oils, place a drip pan under the leak and clean up any oil on the pavement with oil dry and properly dispose of the waste into the waste dumpster.

Action Items

- Create an SWPPP.

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. Please provide me with a letter of response and a copy of your newly created SWPPP no later than August 31, 2012.

If you should have any questions concerning this letter, feel free to contact me at (330) 963-1128 or by e-mail robert.hrusovsky@epa.state.oh.us. If you have further questions after August 17, 2012, please contact Dan Bogoevski, District Engineer of the Division of Surface Water, at (330) 963-1145 or by e-mail at dan.bogoevski@epa.state.oh.us.

Sincerely,



Robert Hrusovsky
Assistant to the District Engineer
Division of Surface Water

RH/cs

cc: Edward Piatak, Consulting City Engineer, City of Brook Park