



Environmental
Protection Agency

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

September 10, 2012

James Geyer
JGR Properties
9477 Peaceful Drive
Sanibel FL 33956-4212

CERTIFIED LETTER

Peter Stojich
GS Holdings-Brookside, Ltd.
6104 Whiting Drive
McHenry, IL 60050

**RE: Brookside Village MHP, Clark County
Compliance Evaluation Inspection, Notice of Violation
Consent Order (case no. 2005 01 0211), NPDES No. 1PV00097*BD/OH0122742**

Dear Mr. Geyer and Mr. Stojich:

On August 31, 2012, I conducted an inspection at Brookside Village MHP located at 1962 Mahar Road, South Vienna, Ohio. April Rose, Kristie Richards, Joe Sweeney, and Brenda Sweeney were present during the inspection. My inspection indicates violations of the conditions of your NPDES permit and Consent Order (case no. 2005 01 0211). The conditions at the wastewater treatment plant (WWTP) remain similar to the conditions as noted in the previous seven inspections (dated May 17, 2010, July 1, 2010, October 13, 2010, November 30, 2010, February 11, 2011, May 18, 2011 and January 27, 2012). The specific instances of noncompliance and deficiencies were as follows:

1. **NPDES Permit Transfer**. Brookside's NPDES permit must be transferred to the new owner by completing and submitting a NPDES permit Transfer Form (4234). This form was signed by Mr. Geyer at the last settlement meeting. Immediately complete this form by signing and submitting it to this office.
2. **NPDES Permit Application**. Brookside's NPDES requires the permittee to submit a NPDES renewal application (Forms 1, 2E, 2S and Antidegradation) no later than 180 days prior to the May 31, 2012 expiration date. Your application was due no later than November 31, 2011. Ohio EPA has not received Brookside's NPDES permit application in violation of a condition of your NPDES permit. Immediately complete these forms by signing and submitting it to this office with the \$200.00 application fee.

3. **DMR Reporting**. Brookside is required to submit Discharge Monthly Reports (FKA: MORs) to Ohio EPA no later than the 20th day of the month following the month-of-interest. Ohio EPA has not received February 2012 and April 2012 Discharge Monthly Operating Reports in violation of Part II, Item 4 (Reporting) of your NPDES permit. Immediately complete and submit these reports.
4. **Schedule of Compliance**. As owner and successor in interest, you are in violation of Brookside Village MHP's Schedule of Compliance for Part I.C.a, b, c, d, e and f in NPDES permit no. 1PV00097*BD/OH0122742 and Orders 6 a, b, c, d, e and f in Consent Order (case no. 2005 01 0211) for Brookside Village MHP. Immediately submit an approvable Permit-to-Install application (Forms A, B1-att, B3 and Antidegradation) and detail plans to this office with the review/application fee.
5. **"In Good Working Order"**. For the past 3 months, the lagoon has been pumped along with the trash trap (approximately 21,000 gallons); however, the lagoon is still full of solids with little to no free board left in the lagoon in violation of Part II, Item D.
6. **"In Good Working Order"**. Aeration in the aeration tank was uneven which causes the plant to operate inefficiently in violation of Part II, Item D. One blower/motor for the aeration tank is inoperable in violation of Part II, Item D.
7. **"In Good Working Order"**. During the inspection, there was one pump in the lift station that was not operable in violation of Part II, Item D. Ms. Rose reported that the pump failure was due to an electrical surge caused by Ohio Edison. Ms. Rose reported that electrical problem is slated to be corrected and the pump will be repaired.
8. **"In Good Working Order"**. The fence surrounding the aeration tank, the clarifier and the chlorine contact tank is approximately 4 feet in height. There is no fence surrounding the tertiary lagoon. All treatment units of the WWTP must be secured at all times with a sturdy six foot perimeter fence with locking gate. Ms. Rose reported that there are plans to put another section of fence around the chlorine contact tank to meet the 6 foot requirement. What is your time line for securing the entire WWTP?
9. **Flow Monitoring Violations**. During the period in June 2012 and July 2012, flow was reported as code "AD" on 62 occasions in violation of Part I,A frequency violation at outfall 001 (Final Table). On one occasion, total suspended solids were reported as code "AB" in violation of Part 1, A frequency violation at outfall 001 (Final Table). Ms. Rose reported that a final effluent flow meter is on order.
10. **General Effluent Limitations**. During the inspection, the discharge was whitish in color in violation of Part III, Item 2. The creek was whitish in color for approximately 10 feet downstream of the outfall. The creek was clear upstream of the outfall.

11. Operator of Record. According to Ohio EPA's record, April Rose delegated authority to Brenda Sweeney for submitting discharge monthly reports to Ohio EPA. The form that was submitted was the "Delegation of Authority to Submit Discharge Monthly Reports for Ohio EPA Surface Water Permit." This form was notarized on June 1, 2012. Brookside is required to provide written verification that April Rose has been delegated authority to sign applications and reports for Ohio EPA surface water permits in accordance with the signatory requirements of 40 CRF122.22.

**FINAL EFFLUENT LIMIT VIOLATIONS FOR OUTFALL 1PV00097001
 (Period of Review: January 2012 through July 2012)**

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
May 2012	Nitrogen, Ammonia (NH3)	30D Conc	1.0	3.65	5/1/2012
May 2012	Nitrogen, Ammonia (NH3)	7D Conc	1.5	4.3	5/1/2012
May 2012	Nitrogen, Ammonia (NH3)	7D Conc	1.5	3.	5/15/2012
June 2012	Nitrogen, Ammonia (NH3)	30D Conc	1.0	7.66667	6/1/2012
June 2012	Nitrogen, Ammonia (NH3)	7D Conc	1.5	14.	6/15/2012
June 2012	Nitrogen, Ammonia (NH3)	7D Conc	1.5	8.	6/22/2012
July 2012	Total Suspended Solids	7D Conc	18	23.	7/1/2012
July 2012	Nitrogen, Ammonia (NH3)	30D Conc	1.0	8.815	7/1/2012
July 2012	Nitrogen, Ammonia (NH3)	7D Conc	1.5	17.	7/1/2012
July 2012	CBOD 5 day	30D Conc	10	11.25	7/1/2012
July 2012	CBOD 5 day	7D Conc	15	18.	7/1/2012
July 2012	CBOD 5 day	7D Conc	15	27.	7/8/2012

DMRs were not received for February 2012 and April 2012.

**FREQUENCY VIOLATIONS FOR OUTFALL 1PV00097001
 (Period of Review: January 2012 through July 2012)**

Reporting Period	Parameter	Sample Frequency	Expected	Reported	Violation Date
January 2012	Flow Rate	1/Day	1	0	01/30/2012
January 2012	Flow Rate	1/Day	1	0	01/31/2012
March 2012	Water Temperature	1/Day	1	0	03/01/2012
March 2012	Water Temperature	1/Day	1	0	03/02/2012
March 2012	Water Temperature	1/Day	1	0	03/03/2012
March 2012	Water Temperature	1/Day	1	0	03/04/2012
March 2012	Water Temperature	1/Day	1	0	03/05/2012
March 2012	Water Temperature	1/Day	1	0	03/06/2012
March 2012	Water Temperature	1/Day	1	0	03/07/2012
March 2012	Water Temperature	1/Day	1	0	03/08/2012
March 2012	Water Temperature	1/Day	1	0	03/09/2012
March 2012	Water Temperature	1/Day	1	0	03/10/2012

FREQUENCY VIOLATIONS FOR OUTFALL 1PV00097001
 (Period of Review: January 2012 through July 2012)

Reporting Period	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2012	Water Temperature	1/Day	1	0	03/11/2012
March 2012	Water Temperature	1/Day	1	0	03/12/2012
March 2012	Water Temperature	1/Day	1	0	03/13/2012
March 2012	Water Temperature	1/Day	1	0	03/14/2012
March 2012	Water Temperature	1/Day	1	0	03/15/2012
March 2012	Water Temperature	1/Day	1	0	03/16/2012
March 2012	Water Temperature	1/Day	1	0	03/17/2012
March 2012	Water Temperature	1/Day	1	0	03/18/2012
March 2012	Water Temperature	1/Day	1	0	03/19/2012
March 2012	Water Temperature	1/Day	1	0	03/20/2012
March 2012	Water Temperature	1/Day	1	0	03/21/2012
March 2012	Water Temperature	1/Day	1	0	03/22/2012
March 2012	Water Temperature	1/Day	1	0	03/23/2012
March 2012	Water Temperature	1/Day	1	0	03/24/2012
March 2012	Water Temperature	1/Day	1	0	03/25/2012
March 2012	Water Temperature	1/Day	1	0	03/26/2012
March 2012	Water Temperature	1/Day	1	0	03/27/2012
March 2012	Water Temperature	1/Day	1	0	03/28/2012
March 2012	Water Temperature	1/Day	1	0	03/29/2012
March 2012	Water Temperature	1/Day	1	0	03/30/2012
March 2012	Water Temperature	1/Day	1	0	03/31/2012
March 2012	Color, Severity	1/Day	1	0	03/01/2012
March 2012	Color, Severity	1/Day	1	0	03/02/2012
March 2012	Color, Severity	1/Day	1	0	03/03/2012
March 2012	Color, Severity	1/Day	1	0	03/04/2012
March 2012	Color, Severity	1/Day	1	0	03/05/2012
March 2012	Color, Severity	1/Day	1	0	03/06/2012
March 2012	Color, Severity	1/Day	1	0	03/07/2012
March 2012	Color, Severity	1/Day	1	0	03/08/2012
March 2012	Color, Severity	1/Day	1	0	03/09/2012
March 2012	Color, Severity	1/Day	1	0	03/10/2012
March 2012	Color, Severity	1/Day	1	0	03/11/2012
March 2012	Color, Severity	1/Day	1	0	03/12/2012
March 2012	Color, Severity	1/Day	1	0	03/13/2012
March 2012	Color, Severity	1/Day	1	0	03/14/2012
March 2012	Color, Severity	1/Day	1	0	03/15/2012
March 2012	Color, Severity	1/Day	1	0	03/16/2012
March 2012	Color, Severity	1/Day	1	0	03/17/2012
March 2012	Color, Severity	1/Day	1	0	03/18/2012
March 2012	Color, Severity	1/Day	1	0	03/19/2012
March 2012	Color, Severity	1/Day	1	0	03/20/2012
March 2012	Color, Severity	1/Day	1	0	03/21/2012
March 2012	Color, Severity	1/Day	1	0	03/22/2012

FREQUENCY VIOLATIONS FOR OUTFALL 1PV00097001
 (Period of Review: January 2012 through July 2012)

Reporting Period		Parameter	Sample Frequency	Expected	Reported	Violation Date
March	2012	Color, Severity	1/Day	1	0	03/23/2012
March	2012	Color, Severity	1/Day	1	0	03/24/2012
March	2012	Color, Severity	1/Day	1	0	03/25/2012
March	2012	Color, Severity	1/Day	1	0	03/26/2012
March	2012	Color, Severity	1/Day	1	0	03/27/2012
March	2012	Color, Severity	1/Day	1	0	03/28/2012
March	2012	Color, Severity	1/Day	1	0	03/29/2012
March	2012	Color, Severity	1/Day	1	0	03/30/2012
March	2012	Color, Severity	1/Day	1	0	03/31/2012
March	2012	Odor, Severity	1/Day	1	0	03/01/2012
March	2012	Odor, Severity	1/Day	1	0	03/02/2012
March	2012	Odor, Severity	1/Day	1	0	03/03/2012
March	2012	Odor, Severity	1/Day	1	0	03/04/2012
March	2012	Odor, Severity	1/Day	1	0	03/05/2012
March	2012	Odor, Severity	1/Day	1	0	03/06/2012
March	2012	Odor, Severity	1/Day	1	0	03/07/2012
March	2012	Odor, Severity	1/Day	1	0	03/08/2012
March	2012	Odor, Severity	1/Day	1	0	03/09/2012
March	2012	Odor, Severity	1/Day	1	0	03/10/2012
March	2012	Odor, Severity	1/Day	1	0	03/11/2012
March	2012	Odor, Severity	1/Day	1	0	03/12/2012
March	2012	Odor, Severity	1/Day	1	0	03/13/2012
March	2012	Odor, Severity	1/Day	1	0	03/14/2012
March	2012	Odor, Severity	1/Day	1	0	03/15/2012
March	2012	Odor, Severity	1/Day	1	0	03/16/2012
March	2012	Odor, Severity	1/Day	1	0	03/17/2012
March	2012	Odor, Severity	1/Day	1	0	03/18/2012
March	2012	Odor, Severity	1/Day	1	0	03/19/2012
March	2012	Odor, Severity	1/Day	1	0	03/20/2012
March	2012	Odor, Severity	1/Day	1	0	03/21/2012
March	2012	Odor, Severity	1/Day	1	0	03/22/2012
March	2012	Odor, Severity	1/Day	1	0	03/23/2012
March	2012	Odor, Severity	1/Day	1	0	03/24/2012
March	2012	Odor, Severity	1/Day	1	0	03/25/2012
March	2012	Odor, Severity	1/Day	1	0	03/26/2012
March	2012	Odor, Severity	1/Day	1	0	03/27/2012
March	2012	Odor, Severity	1/Day	1	0	03/28/2012
March	2012	Odor, Severity	1/Day	1	0	03/29/2012
March	2012	Odor, Severity	1/Day	1	0	03/30/2012
March	2012	Odor, Severity	1/Day	1	0	03/31/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/01/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/02/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/03/2012

FREQUENCY VIOLATIONS FOR OUTFALL 1PV00097001
 (Period of Review: January 2012 through July 2012)

Reporting Period		Parameter	Sample Frequency	Expected	Reported	Violation Date
March	2012	Turbidity, Severity	1/Day	1	0	03/04/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/05/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/06/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/07/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/08/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/09/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/10/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/11/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/12/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/13/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/14/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/15/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/16/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/17/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/18/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/19/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/20/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/21/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/22/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/23/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/24/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/25/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/26/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/27/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/28/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/29/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/30/2012
March	2012	Turbidity, Severity	1/Day	1	0	03/31/2012
March	2012	Flow Rate	1/Day	1	0	03/01/2012
March	2012	Flow Rate	1/Day	1	0	03/02/2012
March	2012	Flow Rate	1/Day	1	0	03/03/2012
March	2012	Flow Rate	1/Day	1	0	03/04/2012
March	2012	Flow Rate	1/Day	1	0	03/05/2012
March	2012	Flow Rate	1/Day	1	0	03/06/2012
March	2012	Flow Rate	1/Day	1	0	03/07/2012
March	2012	Flow Rate	1/Day	1	0	03/08/2012
March	2012	Flow Rate	1/Day	1	0	03/09/2012
March	2012	Flow Rate	1/Day	1	0	03/10/2012
March	2012	Flow Rate	1/Day	1	0	03/11/2012
March	2012	Flow Rate	1/Day	1	0	03/30/2012
March	2012	Flow Rate	1/Day	1	0	03/31/2012
May	2012	Flow Rate	1/Day	1	0	05/02/2012
May	2012	Flow Rate	1/Day	1	0	05/03/2012

FREQUENCY VIOLATIONS FOR OUTFALL 1PV00097001
(Period of Review: January 2012 through July 2012)

Reporting Period		Parameter	Sample Frequency	Expected	Reported	Violation Date
May	2012	Flow Rate	1/Day	1	0	05/04/2012
May	2012	Flow Rate	1/Day	1	0	05/05/2012
May	2012	Flow Rate	1/Day	1	0	05/06/2012
May	2012	Flow Rate	1/Day	1	0	05/07/2012
May	2012	Flow Rate	1/Day	1	0	05/08/2012
May	2012	Flow Rate	1/Day	1	0	05/09/2012
May	2012	Flow Rate	1/Day	1	0	05/10/2012
May	2012	Flow Rate	1/Day	1	0	05/11/2012
May	2012	Flow Rate	1/Day	1	0	05/12/2012
May	2012	Flow Rate	1/Day	1	0	05/13/2012
May	2012	Flow Rate	1/Day	1	0	05/14/2012
May	2012	Flow Rate	1/Day	1	0	05/15/2012
May	2012	Flow Rate	1/Day	1	0	05/16/2012
May	2012	Flow Rate	1/Day	1	0	05/17/2012
May	2012	Flow Rate	1/Day	1	0	05/18/2012
May	2012	Flow Rate	1/Day	1	0	05/19/2012
May	2012	Flow Rate	1/Day	1	0	05/20/2012
May	2012	Flow Rate	1/Day	1	0	05/21/2012
May	2012	Flow Rate	1/Day	1	0	05/22/2012
May	2012	Flow Rate	1/Day	1	0	05/23/2012
May	2012	Flow Rate	1/Day	1	0	05/24/2012
May	2012	Flow Rate	1/Day	1	0	05/25/2012
May	2012	Flow Rate	1/Day	1	0	05/26/2012
May	2012	Flow Rate	1/Day	1	0	05/27/2012
May	2012	Flow Rate	1/Day	1	0	05/28/2012
May	2012	Flow Rate	1/Day	1	0	05/29/2012
May	2012	Flow Rate	1/Day	1	0	05/30/2012
May	2012	Flow Rate	1/Day	1	0	05/31/2012

Please be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting requirements of your NPDES permit may be cause for enforcement action pursuant to Ohio Revised Code Chapter 6111.

Please inform this office, in writing, within ten days of receipt of this notification as to the reason for violations, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

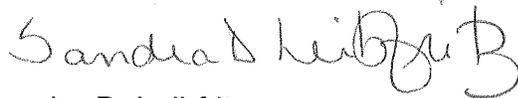
In accordance with Part III, Item 28 (Signatory Requirements), all applications and reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CRF122.22. Ohio Administrative Code 3745-33-03(F) also states

that applications shall be signed as follows:

1. In the case of a corporation, by a responsible corporate officer
2. In the case of a partnership, by a general partner
3. In the case of a sole proprietorship, by the proprietor
4. In the case of a municipal, state, or other public facility, be either the principle executive offer, the ranking elected official or other duly authorized employee.

If you have any questions regarding the above, please contact me at (937) 285-6104.

Respectfully,



Sandra D. Leibfritz
Environmental Specialist
Division of Surface Water

SDL/tf

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