



**Environmental  
Protection Agency**

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

Re: **Notice of Violation**  
Putnam County  
Industrial Storm Water  
Nelson Manufacturing  
Facility ID No. 2GR00433

September 28, 2012

Mr. Anthony Niese  
Nelson Manufacturing  
6448 U.S. Route 224  
Ottawa, Ohio 45875

Dear Mr. Niese:

On September 21, 2012, Ryan Gierhart and I inspected Nelson Manufacturing, located at 6448 U.S. Route 224, Ottawa (photos taken). The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with industrial activity (a.k.a. Multi-Sector General Permit, or MSGP). Authorization to discharge under the MSGP was granted March 5, 2012. You and Dan Thompson were present to provide information. As a result of the inspection, I have the following comments:

1. The facility manufactures truck trailers for semis. It has a primary SIC code of 3715, Truck Trailers. Industrial activities with potential exposure of pollutants to storm water include: material transfer to and from garbage and scrap metal roll-offs (uncovered); outside material storage; gas and diesel fueling; material track out/transfer from the blasting area; discharges from the air compressor discharge; and discharges from the secondary containment around the gas and diesel fuel tanks.
2. A Storm Water Pollution Prevention Plan (SWP3) was not available. *Failure to develop and implement a SWP3 is a violation of Section 5 of the permit.* An SWP3 must be developed. Details on the required contents of a SWP3 can be found in the current permit at: [http://epa.ohio.gov/dsw/permits/GP\\_IndustrialStormWater.aspx](http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx). A template for developing a SWP3, sample record keeping forms, and a sample Annual Report form for the MSGP can also be found at the above web page. I recommend reviewing the MSGP. Sections 1 through 7 pertain to all facilities. Section 8 Subpart AB1 describes specific requirements for your industry.
3. I did not observe any discharges during my inspection. Quarterly Visual Assessments are required by the permit and have not yet been performed. A grab sample from each outfall (some exceptions are noted in the permit) must be taken each calendar quarter. Samples are to be collected within the first 30 minutes of discharge and on discharges that occur at least 72 hours from the previous discharge. Samples must be assessed for color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of pollution. *Failure to conduct and document quarterly visual assessments of your discharge is a violation of Sections 4.2.1 and 4.2.2 of the permit.* You must begin quarterly visual assessments immediately. Videos showing how to perform sampling may be viewed at: [http://epa.ohio.gov/dsw/permits/GP\\_IndustrialStormWater.aspx](http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx). Additional sampling guidance can be found at: [http://www.epa.gov/npdes/pubs/msgp\\_monitoring\\_guide.pdf](http://www.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf).

The NPDES permit requires that the SWP3 describe and ensure implementation of storm water controls. These controls must address several different components of facility operations that are listed in the permit. Storm water control implementation issues were noted for the following facility operations:

4. Good Housekeeping - This item requires Best Management Practices (BMPs) that result in the maintenance of a clean, orderly facility. I observed some metal pieces and orange staining in the area around the scrap metal roll-offs. Significant amounts of particulate matter were present on the pavement and gravel outside of the blasting room. *This is a violation of Section 2.1.2.2 of the permit.* Increased visual monitoring and sweeping is recommended for these areas.
5. Preventive Maintenance - The permit requires the inspection and maintenance of storm water management devices; the inspection and testing of facility equipment and systems to uncover conditions that could cause failures resulting in discharges of pollutants; and ensuring the appropriate maintenance of equipment and systems. Based on the dark staining on the pavement where the air compressor is discharged and the beaded appearance of liquid sitting on the stained area, it appears there has been an oil leak. Please note that failure to promptly clean up spills would be a violation of Section 2.1.2.4 of the permit. A non-storm water discharge or discharge of contaminated water from the compressor would also be a violation Section 2.1.2.10 of the permit. *As required by Part 2.1.2.3 of the permit, you must inspect the equipment and repair any leaks.* If maintenance does not eliminate the issue, any oily discharge must be collected and disposed of as a waste. With your response to this letter, please provide a description of your investigation of the source of the staining and any corrective actions taken.
6. Spill Prevention and Response - The permit requires the implementation of controls for the prevention and clean-up of spills. This includes material handling procedures, storage requirements, and clean-up procedures. The SWP3 needs to include readily accessible contact information for individuals or agencies that must be notified in the event of a spill, such as local emergency response agencies, the National Response Center, and Ohio EPA's Spill Hotline (see Section 2.1.2.4 of the permit).

The diesel and gasoline tanks had secondary containment; however, the valves appeared to be open. Valves must remain closed. The SWP3 must include procedures for assessing water that collects within the containment dikes before it is drained. If a sheen is observed, absorbent pads may be used to remove the sheen before water is released or the water must be disposed of as a waste. While spill response materials were located inside the buildings, I recommend a spill kit be located by the fueling area. A lidded garbage can may be used to hold spill response supplies.

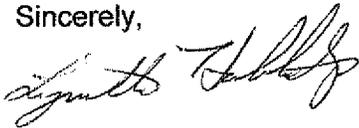
Facilities that store oil of any kind, in containers 55 gallons or greater with a total capacity of 1,320 gallons, are subject to the Spill Prevention, Control and Countermeasure (SPCC) regulations. A facility that is subject to the SPCC regulations must prepare an SPCC plan and

have secondary containment structures to prevent a spill of oil from entering a waterway. For more details, please see the "Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements Fact Sheet" found at <http://www.epa.ohio.gov/portals/41/sb/publications/spcc.pdf>.

7. Inspections - The MSGP requires at least quarterly routine documented inspections of all areas of the facility where industrial activities or materials are exposed to storm water and of all storm water control measures used to comply with this permit. At least one inspection must occur when storm water is discharging from your site. Nelson Manufacturing does not currently have a documented inspection procedure for storm water controls. *Failure to routinely inspect and document findings is a violation of Sections 4.1.1 and 4.1.2 of the permit.* You must begin quarterly routine inspections immediately.
8. Employee Training – The MSGP requires at least annual employee training of all employees who work in areas where industrial activities or materials are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g. inspectors, maintenance personnel). Employee training has not been conducted or documented. *This is a violation of Section 2.1.2.9 of the permit.* With your response to this letter, please provide a training schedule for your employees to meet this requirement.

Within 30 days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to address the compliance issues. Your response should include the dates, either actual or proposed, for the completion of the actions. It must also include a written certification that an SWP3 has been developed. If there are any questions, please contact me at (419-373-3009) or [lynette.hablitzel@epa.state.oh.us](mailto:lynette.hablitzel@epa.state.oh.us).

Sincerely,



Lynette M. Hablitzel, P.E.  
Division of Surface Water  
Storm Water Section

/jlm

ec: Tracking