



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

October 23, 2012

RE: TRUMBULL COUNTY
HUBBARD TWP.
6168 YOUNGSTOWN-HUBBARD RD.
NPDES PERMIT NO. OH0139157
OHIO EPA PERMIT NO. 3PR00432 (EXPIRED)

Ms. Susan Watson, Owner
Watson's Towing, Inc.
P.O. Box 179
Hubbard, Ohio 44425

Ms. Watson:

Ohio EPA conducted a compliance evaluation inspection at the above-referenced facility on September 12, 2012. Mr. Steve Kramer of the Trumbull County Health Department was also present during the inspection. The inspection was performed to evaluate the operation and maintenance of the treatment system, and determine the facility's overall compliance with its National Pollutant Discharge Elimination System (NPDES) permit.

At the time of the inspection, the following observations and/or deficiencies were noted:

1. The building and surrounding property appear to still be in use. Per a letter from you to Ohio EPA dated September 8, 2011, the building is only being used as a storage space. You explained that the well is shut off, and none of the plumbing fixtures inside the building are being used.
2. A large amount of debris and other building materials was observed at the site. This matter was referred to the Trumbull County Health Department for appropriate follow-up action.
3. Upgrades to the wastewater treatment system approved in Permit-to-Install (PTI) No. 616752 have not been installed.

A review of the facility's electronic Discharge Monitoring Reports (eDMRs) for the period May 2006 – October 2012 indicated violations of the terms and conditions contained in the NPDES permit. The specific instances of noncompliance include:

Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2008	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	11.8	3/1/2008
March 2008	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	11.8	3/8/2008
March 2008	001	00300	Dissolved Oxygen	1D Conc	6.0	1.6	3/11/2008
June 2008	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	8.16	6/1/2008
June 2008	001	31616	Fecal Coliform	30D Conc	1000	2300.	6/1/2008
June 2008	001	80082	CBOD 5 day	30D Conc	10	12.	6/1/2008
June 2008	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	8.16	6/15/2008
June 2008	001	31616	Fecal Coliform	7D Conc	2000	2300.	6/15/2008

August 2008	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	10.6	8/1/2008
August 2008	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	10.6	8/1/2008
August 2008	001	31616	Fecal Coliform	30D Conc	1000	5700.	8/1/2008
August 2008	001	31616	Fecal Coliform	7D Conc	2000	5700.	8/1/2008
December 2008	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	6.41	12/1/2008
December 2008	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	6.41	12/1/2008
December 2008	001	00300	Dissolved Oxygen	1D Conc	6.0	2.6	12/2/2008
March 2009	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	16.3	3/1/2009
March 2009	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	16.3	3/1/2009
March 2009	001	00300	Dissolved Oxygen	1D Conc	6.0	1.6	3/3/2009
June 2009	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	22.	6/1/2009
June 2009	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	22.	6/1/2009
June 2009	001	31616	Fecal Coliform	30D Conc	1000	26000.	6/1/2009
June 2009	001	31616	Fecal Coliform	7D Conc	2000	26000.	6/1/2009
June 2009	001	80082	CBOD 5 day	30D Conc	10	25.	6/1/2009
June 2009	001	80082	CBOD 5 day	7D Conc	15	25.	6/1/2009
June 2009	001	00300	Dissolved Oxygen	1D Conc	6.0	2.2	6/2/2009
August 2009	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	5.08	8/1/2009
August 2009	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	5.08	8/1/2009
August 2009	001	31616	Fecal Coliform	30D Conc	1000	16000.	8/1/2009
August 2009	001	31616	Fecal Coliform	7D Conc	2000	16000.	8/1/2009
August 2009	001	00300	Dissolved Oxygen	1D Conc	6.0	1.1	8/4/2009
December 2009	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	46.9	12/1/2009
December 2009	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	46.9	12/1/2009
March 2010	001	00530	Total Suspended Solids	30D Conc	12	22.	3/1/2010
March 2010	001	00530	Total Suspended Solids	7D Conc	18	22.	3/1/2010
March 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	57.8	3/1/2010
March 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	57.8	3/1/2010
March 2010	001	80082	CBOD 5 day	30D Conc	10	25.	3/1/2010
March 2010	001	80082	CBOD 5 day	7D Conc	15	25.	3/1/2010
June 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	12.4	6/1/2010
June 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	12.4	6/1/2010
June 2010	001	31616	Fecal Coliform	30D Conc	1000	7700.	6/1/2010
June 2010	001	31616	Fecal Coliform	7D Conc	2000	7700.	6/1/2010
June 2010	001	80082	CBOD 5 day	30D Conc	10	12.	6/1/2010
August 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	23.8	8/1/2010
August 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	23.8	8/1/2010
August 2010	001	31616	Fecal Coliform	30D Conc	1000	240000.	8/1/2010
August 2010	001	31616	Fecal Coliform	7D Conc	2000	240000.	8/1/2010
August 2010	001	80082	CBOD 5 day	30D Conc	10	18.	8/1/2010
August 2010	001	80082	CBOD 5 day	7D Conc	15	18.	8/1/2010
December 2010	001	00530	Total Suspended Solids	30D Conc	12	42.	12/1/2010
December 2010	001	00530	Total Suspended Solids	7D Conc	18	42.	12/1/2010
December 2010	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	39.5	12/1/2010
December 2010	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	4.5	39.5	12/1/2010
December 2010	001	80082	CBOD 5 day	30D Conc	10	12.	12/1/2010
December 2010	001	00300	Dissolved Oxygen	1D Conc	6.0	1.2	12/7/2010
June 2011	001	00300	Dissolved Oxygen	1D Conc	6.0	2.	6/2/2011

August 2011	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.95	8/1/2011
August 2011	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	1.95	8/1/2011
August 2011	001	00300	Dissolved Oxygen	1D Conc	6.0	2.1	8/2/2011

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
May 2006	001	00010	Water Temperature	1/Week	1	0	05/01/2006
May 2006	001	00010	Water Temperature	1/Week	1	0	05/08/2006
May 2006	001	00010	Water Temperature	1/Week	1	0	05/15/2006
May 2006	001	00010	Water Temperature	1/Week	1	0	05/22/2006
May 2006	001	00083	Color, Severity	1/Week	1	0	05/01/2006
May 2006	001	00083	Color, Severity	1/Week	1	0	05/08/2006
May 2006	001	00083	Color, Severity	1/Week	1	0	05/15/2006
May 2006	001	01330	Odor, Severity	1/Week	1	0	05/01/2006
May 2006	001	01330	Odor, Severity	1/Week	1	0	05/08/2006
May 2006	001	01330	Odor, Severity	1/Week	1	0	05/15/2006
May 2006	001	01350	Turbidity, Severity	1/Week	1	0	05/01/2006
May 2006	001	01350	Turbidity, Severity	1/Week	1	0	05/08/2006
May 2006	001	01350	Turbidity, Severity	1/Week	1	0	05/15/2006
June 2006	001	00010	Water Temperature	1/Week	1	0	06/15/2006
June 2006	001	00083	Color, Severity	1/Week	1	0	06/15/2006
June 2006	001	01330	Odor, Severity	1/Week	1	0	06/15/2006
June 2006	001	01350	Turbidity, Severity	1/Week	1	0	06/15/2006
September 2006	001	00010	Water Temperature	1/Week	1	0	09/22/2006
September 2006	001	00083	Color, Severity	1/Week	1	0	09/22/2006
September 2006	001	01330	Odor, Severity	1/Week	1	0	09/22/2006
September 2006	001	01350	Turbidity, Severity	1/Week	1	0	09/22/2006
November 2006	001	00010	Water Temperature	1/Week	1	0	11/22/2006
November 2006	001	00083	Color, Severity	1/Week	1	0	11/22/2006
November 2006	001	01330	Odor, Severity	1/Week	1	0	11/22/2006
November 2006	001	01350	Turbidity, Severity	1/Week	1	0	11/22/2006
December 2006	001	00010	Water Temperature	1/Week	1	0	12/08/2006
December 2006	001	00083	Color, Severity	1/Week	1	0	12/08/2006
December 2006	001	01330	Odor, Severity	1/Week	1	0	12/08/2006
December 2006	001	01350	Turbidity, Severity	1/Week	1	0	12/08/2006
February 2008	001	00010	Water Temperature	1/Week	1	0	02/22/2008
February 2008	001	00083	Color, Severity	1/Week	1	0	02/22/2008
February 2008	001	01330	Odor, Severity	1/Week	1	0	02/22/2008
February 2008	001	01350	Turbidity, Severity	1/Week	1	0	02/22/2008
June 2008	001	50060	Chlorine, Total Residu	1/Quarter	1	0	06/01/2008
August 2008	001	50060	Chlorine, Total Residu	1/Quarter	1	0	08/01/2008
January 2009	001	00010	Water Temperature	1/Week	1	0	01/15/2009
January 2009	001	00083	Color, Severity	1/Week	1	0	01/15/2009
January 2009	001	01330	Odor, Severity	1/Week	1	0	01/15/2009
January 2009	001	01350	Turbidity, Severity	1/Week	1	0	01/15/2009
June 2009	001	50060	Chlorine, Total Residu	1/Quarter	1	0	06/01/2009
August 2009	001	50060	Chlorine, Total Residu	1/Quarter	1	0	08/01/2009

April 2010	001	00010	Water Temperature	1/Week	1	0	04/08/2010
April 2010	001	00010	Water Temperature	1/Week	1	0	04/15/2010
April 2010	001	00010	Water Temperature	1/Week	1	0	04/22/2010
June 2011	001	50060	Chlorine, Total Residu	1/Quarter	1	0	06/01/2011
August 2011	001	50060	Chlorine, Total Residu	1/Quarter	1	0	08/01/2011

Records indicate that the eDMR data is not been submitted correctly. It appears that the facility has been trying to report no discharge since September 2011, however, the only item being filled out on the eDMRs is an "AL" substitution code for water temperature. If you wish to indicate a zero discharge for a reporting period, you only need to check the "No Discharge" box on the eDMR input page. Please go back and correct the reporting for the period September 2011 through October 2012.

The facility's NPDES permit expired on April 30, 2011. NPDES renewal applications are required to be submitted at least 180 days prior to the expiration date. A renewal application was received by this office on October 20, 2010, thus meeting the 180-day requirement. Because of the timely submittal of the renewal application, Watson's Towing, Inc. was authorized to discharge past the expiration date of the NPDES permit.

Part I, C of the NPDES permit contains a compliance schedule that outlines a timeline for making appropriate wastewater treatment system upgrades at the facility. While Watson's Towing, Inc. did receive a PTI from Ohio EPA for upgrades, the new wastewater treatment system was never installed within the timeline outlined in the NPDES permit. As such, Watson's Towing, Inc. is considered to be in significant noncompliance with the terms and conditions of the NPDES permit.

A review of the facility's data reporting procedures also indicated that Valley Environmental Labs, Inc. is currently submitting the eDMR data for the facility. Pursuant to Part III, Item 28 of the NPDES permit, "all reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 Code of Federal Regulations (CFR) 122.22". 40 CFR 122.22 explains that reports or any other information requested by the Director must be signed and certified by an individual having authority to sign permit applications as described in 40 CFR 122.22 (a), or by a duly authorized representative. As explained in this section:

A person is a duly authorized representative if:

(1) The authorization is made in writing by a person described in paragraph (a) of this section;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

(3) The written authorization is submitted to the Director.

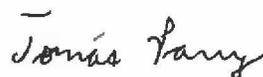
This office has no documentation indicating that Valley Environmental Labs, Inc has been retained as the operator of record for the facility. Records indicate that you are the operator in responsible charge of the facility's treatment works. Based on the requirements outlined in 40 CFR 122.22, Valley Environmental Labs, Inc. may not submit eDMR data on behalf of Watson's Towing, Inc.

In your September 14, 2011 letter to Ohio EPA, you requested that the current NPDES permit be terminated since you are no longer actively using the facility. Based on the findings of this inspection, this office has no objections to this request, provided neither the plumbing fixtures nor the well are used in any way. Please note that any type of re-use of the building in the future will require wastewater treatment systems upgrades and a new NPDES permit prior to any new usage of the structure.

Please contact the Trumbull County Health Department to address any requirements for abandoning the well. After you update the monitoring data for the specified time period as was requested earlier in this letter, no further reporting will be required.

Should you have any questions or comments regarding this letter, please contact this office at (330) 963-1120.

Respectfully,

A handwritten signature in cursive script that reads "Tomás Parry".

Tomás Parry, P.E.
Environmental Engineer
Division of Surface Water

TP/cs

Attachments: Photos

cc: Steve Kramer, R.S., Trumbull County Health Department

