



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

November 6, 2012

Mr. Robert Leventry
Butler County Environmental Services
130 High Street
Hamilton, Ohio 45069

RE: Butler County, Upper Mill Creek WWTP, NPDES Permit Violations

Dear Mr. Leventry:

We have received your Discharge Monitoring Reports covering the months of August and September 2012 for the referenced facility. Our review indicates violations of the conditions of your NPDES Permit (NPDES Permit # OH0072087; OEPA Permit # 1PK00016*LD). The specific instances of noncompliance were as follows:

Effluent Limit Violations for August and September 2012					
Reporting Period	Parameter	Limit Type	Units	Permit Limit	Reported Value
September 2012	Phosphorus	Monthly	mg/l	1.0	1.9
September 2012	Phosphorus	Weekly	mg/l	1.5	2.1
September 2012	Phosphorus	Weekly	mg/l	1.5	2.5

The phosphorus violations have been an ongoing problem for the past six months. The number and severity of the violations that occurred for May through September 2012 have caused the facility to be considered in Significant Noncompliance with their NPDES Permit. Continued phosphorus limit violations may result in enforcement action. Please be advised that failure to comply with the effluent limitations of your NPDES Permit may be cause for enforcement action pursuant to the Ohio Revised Code Chapter 6111.

We have received your reports addressing the reasons for the above violations and the actions being taken to prevent further occurrences. Your explanation is not completely satisfactory and we request, by November 23, 2012, written information as to what action has been taken and what action will be taken to prevent further occurrences.

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Future violations must continue to be reported as required by the NPDES Permit as detailed in Part III.12 titled "Noncompliance Notification."

If you have any questions regarding the above, please contact me at (937) 285-6096.

Sincerely,

A handwritten signature in blue ink that reads "Ned Sarle". The signature is fluid and cursive.

Ned Sarle
Environmental Specialist
Division of Surface Water
Permit Section

NS/tb

ec: Adam Sackenheim, Butler County Water and Sewer Department
Todd Madden, Butler County Water and Sewer Department