



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

November 19, 2012

David Stiltner, Facilities Supervisor
Nestle R & D Center Inc.
809 Collins Avenue
Marysville, OH 43040

**Re: Nestle R & D Center Inc.
NPDES Permit 4IN00038/ OH0005096
Compliance Evaluation Inspection
Union County**

Dear Mr. Stiltner:

On November 15, 2012, a Compliance Evaluation Inspection was conducted at the Nestle R & D Center Inc. Present for the inspection were you and Stephen Salsbury, representing Nestle, and myself of the Ohio EPA, Central District Office, Division of Surface Water. The purpose of the inspection was to evaluate compliance with the terms and conditions of your NPDES permit and to evaluate the operation and maintenance of the plant.

Findings:

1. The facility has largely been compliant with the the NPDES permit as there has been one effluent violation between September 2009 and October 2012.
2. The previous inspection report dated October 26, 2009, discussed the possibility of terminating the NPDES permit when the permit expired in October 2013. The facility no longer discharges process water or non-contact cooling water to waters of the state. It was suggested that you sample additional parameters to support terminating the permit. **As discussed, please submit the additional testing in order for us to review the results.**
 - a. If the individual permit is terminated, a general multi-sector NPDES stormwater permit would likely be required. Industries with a Standard Industrial Classification (SIC) Major Code of 20 (Food and Kindred Products Facilities) are one of the 29 sectors which require a stormwater permit. I believe that the Nestle R&D Center would be classified with a SIC Major Code of 20, **but please determine your SIC code and provide it to this office.**

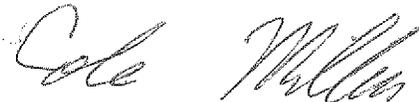
- b. Assuming that a general permit is needed, I indicated that there is potential for certification for no exposure which would exempt you from requiring a general permit for five years. You can read more about no exposure certification in this Fact Sheet:

<http://www.epa.gov/npdes/pubs/fact4-0.pdf>

3. The outfall had a small amount of flow which is attributable to ground water. The water appeared to be clean with no odor exhibited.

Attached is the inspection checklist. There are no additional action items besides those covered within the **Findings**. If you have any questions or comments concerning the enclosed inspection report, please contact me at (614) 644-3846 or e-mail at cole.miller@epa.state.oh.us.

Sincerely,



Cole Miller
Environmental Specialist II
Compliance and Enforcement Unit
Division of Surface Water
Central District Office

ec: Cole Miller

NPDES Compliance Inspection Report

SECTION A: NATIONAL DATA SYSTEM CODING

Permit #	NPDES #	Inspection Type	Inspector	Facility Type
41N00038	OH0005096	CEI	S	2
Inspection Date	Entry Time	Exit Time	Notice of Violation	Significant Non-Compliance
11/15/2012	10:00 AM	11:00 AM	No	No

SECTION B: FACILITY DATA

Name and Location of Facility Inspected	Permit Effective Date
Nestle R & D Center Inc. 809 Collins Avenue Marysville, OH 43040	11/1/2008
	Permit Expiration Date
	10/31/2013
Name(s) and Title(s) of On-Site Representatives	Phone Numbers
Dave Stiltner, Facilities Supervisor	(937) 645-2279
Stephen Salsbury, Safety, Health & Environment Section Leader	(937) 645-2115
Name and Title of Responsible Official	Phone Number
Dave Stiltner, Facilities Supervisor	(937) 645-2279

SECTION C: AREAS EVALUATED DURING INSPECTION

Key: S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated

S	NPDES Compliance	
S	Operations & Maintenance	
S	Facility Site Review	
S	Collection System	
S	Flow Measurement	
S	Receiving Waters	
S	Laboratory	

Comments:

Signatures

	11/16/12		11/16/12
Cole Miller, Inspector Compliance & Enforcement Division of Surface Water Central District Office	Date	Erin Sherer, Reviewer Compliance & Enforcement Supervisor Division of Surface Water Central District Office	Date

Compliance Data for Nestle R & D Center Inc. between 9/1/2011 to 10/1/2012

Summary

Permit Effluent Limit Violations: 1

Permit Effluent Code Violations: 0

Permit Effluent Frequency Violations: 0

Compliance Schedule Violations: 0

Limit Violations						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
July 2012	001	pH, Minimum	1D Conc	6.5	6.3	7/12/2012

SECTION D: PERMIT VERIFICATION

- (a) Correct name and mailing address of permittee Y
- (b) Correct name and location of receiving waters Y
- (c) Products and production rates conform with permit application Y*
- (d) Flows and loadings conform with NPDES permit..... Y
- (e) Treatment processes are as described in permit application Y
- (f) New treatment process added since last inspection N
- (g) Notification given to State of new, different or increased discharges N/A
- (h) All discharges are permitted..... Y
- (i) Number and location of discharge points are as described in permit..... Y

Comments:

The facility no longer discharges process water or cooling water. Cooling water discharges were eliminated in 1993 and boiler blowdowns are directed to sanitary. The City of Marysville performed dye tests in 1996 with various drains and determined that no cross-connections exist.

SECTION E: COMPLIANCE

- (a) Any significant violations since the last inspection N
- (b) Permittee is taking actions to resolve violations N/A
- (c) Permittee has a compliance schedule N
- (d) Permittee is meeting compliance schedule N/A

SECTION F: OPERATION AND MAINTENANCE

- (a) Standby power available..... N/A
If yes, what type?
- (b) Adequate alarm system available for power or equipment failures N/A
- (c) All treatment units in service other than backup units N/A
- (d) Wastewater Treatment Works classification N/A
- (e) Operator of Record holds unexpired license of class required by Permit.. N/A
Class held:
- (f) Copy of certificate of Operator of Record displayed on-site N/A
- (g) Minimum operator staffing requirements fulfilled..... N/A
- (h) Routine and preventative maintenance scheduled and performed Y
- (i) Any major equipment breakdown since last inspection..... N
- (j) Operation and maintenance manual provided and maintained N/E
- (k) Any plant bypasses since last inspection..... N
- (l) Regulatory agency notified of bypasses N/A
By MOR and/or Spill Hotline (1-800-282-9378)
- (m) Any hydraulic or organic overloads since last inspection N/A

Comments: Facility only discharges storm water.

SECTION G: RECORD KEEPING

- a) Log book provided N/A
- b) Format of log book (i.e. computer log, hard bound book)
- c) Log book(s) kept onsite in an area protected from weather N/A
- d) Log book contains the following:
 - i) Identification of treatment works N/A
 - ii) Date/times of arrival/departure for Operator of Record and any other operator required by OAC 3745-7 N/A
 - iii) Daily record of operation and maintenance activities (including preventative maintenance, repairs and request for repairs)..... N/A
 - iv) Laboratory results (unless documented on bench sheets)..... N/A
 - v) Identification of person making log entries..... N/A
- e) Has the Operator of Record submitted written notification to the permittee, Ohio EPA and any applicable local environmental agencies when a collection system overflow, treatment plant bypass or effluent limit violation has occurred? ... N/A

Comments:

Records are maintained as bench sheets. I reviewed data submitted July 2011 and it matched the DMR records.

SECTION H: COLLECTION SYSTEM

- a) Percent combined system:..... N/A
- b) Any collection system overflows since last inspection N/A
CSO SSO
- c) Regulatory agency notified of overflows N/A
- d) CSO O&M plan provided and implemented. N/A
- e) CSOs monitored and reported in accordance with permit..... N/A
- f) Portable pumps are used to relieve system N/A
- g) Lift station alarms provided and maintained..... N/A
- h) Lift stations equipped with permanent standby power or equivalent N/A
- i) Is there an inflow/infiltration problem (separate sewer system), or were there any major repairs to collection system since last inspection. N/A
- j) Any complaints received since last inspection of basement flooding N/A
- k) Are any portions of the sewer system at or near capacity..... N/A
- l) Are operations changed during high-flow events? N/A

Comments: The facility only manages storm water collection.

SECTION I: SLUDGE MANAGEMENT

- a) Sludge management plan (SMP) last audited by Ohio EPA: N/A
Audit Date:
- b) Sludge adequately disposed N/A
Method:
- c) If sludge is incinerated, where is ash disposed of N/A
- d) Is sludge disposal contracted N/A
Name:
- e) Has amount of sludge generated changed significantly N/A
- f) Adequate sludge storage provided at plant N/A
- g) Records kept in accordance with State and Federal law N/A
- h) Any complaints received last year regarding sludge N/A
- i) Is sludge adequately processed (digestion, pathogen control) N/A

Comments:

Facility does not produce sludge.

SECTION J: SELF-MONITORING PROGRAM

- a) Primary flow measuring device operated and maintained Y
Type of device: Ultrasonic Unit Device location: V-notch Weir at outfall
- b) Calibration frequency adequate Y
Date of last calibration: October 24, 2012
- c) Secondary instruments operated and maintained Y
- d) Flow measurements equipment adequate to handle full range of flows Y*
- e) Actual flow discharged is measured Y
- f) Flow measuring equipment inspection frequency __Semi-annual calibration
- g) Sampling location(s) are as specified by permit Y
- h) Parameters and sampling frequency agree with permit Y
- i) Monitoring records (i.e., flow, pH, DO) maintained for a minimum of three years including all original strip chart recordings (i.e. continuous monitoring instrumentation, calibration and maintenance records) Y

Comments:

Facility's flow meter is adequate for flows relating to storm runoff. However, ground water infiltration provides low flow rates which are undocumented on the flow charts. Overall the flow meter is adequate for the purposes of the NPDES permit.

SECTION K: Laboratory

- a) EPA applicable analytical testing procedures used (40 CFR 136.3) Y
- b) If alternate procedures are used, are they properly approved? Y
- c) Analysis performed more frequently N
 If yes, are results recorded in permittee's report? N/A
- d) Commercial laboratory used: N*
 Name: Belmont Labs
 Parameters analyzed: Additional parameters*
- e) Quality assurance manual provided and maintained N/E
- f) Calibration and maintenance of instruments is satisfactory? Y
- g) Results of last U.S. EPA quality assurance N/A
 Date:

Comments:

Facility uses continuous monitoring for NPDES parameters (temperature and pH). The probe is calibrated semi-annually. Additionally, the facility takes a daily grab sample and analyzes the pH to confirm probe accuracy.

Belmont Labs has been used for fecal coliform, CBOD, oils and grease, TSS, and ammonia testing as a part of supporting the termination of NPDES permit coverage.

SECTION L: EFFLUENT/RECEIVING WATER OBSERVATIONS

Outfall Number	Outfall sign in place	Oil Sheen	Grease	Turbidity	Foam	Solids	Color	Other
001	N/A	No	No	No	No	No	Clear	

Comments:

SECTION M. MULTIMEDIA OBSERVATIONS

- a) Are there indications of sloppy housekeeping or poor maintenance in work and storage areas or laboratories N
- b) Do you notice staining or discoloration of soils, pavement or floors..... N
- c) Do you notice distressed (unhealthy, discolored, dead) vegetation N
- d) Do you see unidentified dark smoke or dust clouds coming from sources other than smokestacks N
- e) Do you notice any unusual odors or strong chemical smells N
- f) Do you see any open or unmarked drums, unsecured liquids, or damaged containment facilities..... N

If any of the above are observed, ask the following questions:

- 1) What is the cause of the condition?
- 2) Is the observed condition or source a waste product?
- 3) Where is the suspected contaminant normally disposed?
- 4) Is this disposal permitted?
- 5) How long has the condition existed and when did it begin?

Comments: