



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

Re: **Notice of Violation**
 Mercer County
 M&R Eggs
 IDP Inspection

January 8, 2013

Mr. Robert Gornichec, President
 Fort Recovery Equity, Inc.
 P.O. Box 307
 Fort Recovery, Ohio 45846

Dear Mr. Gornichec:

On November 27, 2012, an inspection was conducted of the M&R Eggs facility located in the Village of Fort Recovery. Mr. Jeff Schwieterman, Processing Manager, was present and offered information.

The pretreatment process for the facility has been installed and startup began around January 23, 2012. There continues to be problems with the process that have hindered the full startup and operation of the treatment unit. Please be aware that our office should be contacted when the unit is taken offline for operational issues.

We are in receipt of your self-monitoring reports covering the months of January 2012 through June 2012. Our review indicates violations of the conditions of the Indirect Discharge Permit (IDP). The specific violations are below. In addition to the limit violations, there are also 82 frequency violations. Please see Note 4 in the sampling table of your permit to ensure that you are properly filling out your discharge monitoring reports.

Violation Date	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value
1/12/2012	001	80082	CBOD 5 day	1D Conc	910	5525.
1/26/2012	001	80082	CBOD 5 day	1D Conc	910	3365.
2/7/2012	001	80082	CBOD 5 day	1D Conc	910	2053.
2/7/2012	001	00402	pH, Minimum	1D Conc	5.0	2.76
2/22/2012	001	80082	CBOD 5 day	1D Conc	910	3063.
3/7/2012	001	80082	CBOD 5 day	1D Conc	910	3101.
3/29/2012	002	80082	CBOD 5 day	1D Conc	650	3896.
4/12/2012	002	00530	Total Suspended Solids	1D Conc	750	910.
4/12/2012	002	80082	CBOD 5 day	1D Conc	650	9915.
4/25/2012	002	80082	CBOD 5 day	1D Conc	650	2667.
5/10/2012	002	80082	CBOD 5 day	1D Conc	650	4010.
5/30/2012	002	00530	Total Suspended Solids	1D Conc	750	818.
5/30/2012	002	80082	CBOD 5 day	1D Conc	650	7845.
6/13/2012	002	00530	Total Suspended Solids	1D Conc	750	795.
6/13/2012	002	80082	CBOD 5 day	1D Conc	650	6740.
6/28/2012	002	80082	CBOD 5 day	1D Conc	650	4170.

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Please inform this office in writing within 14 days as to the steps taken or proposed to prevent further violations. If satisfactory progress is not made, we will have no choice but to recommend escalated enforcement action to achieve compliance.

If you have any questions, please call me at (419) 373-3019.

Sincerely,



Michelle Sharp
Division of Surface Water

/jlm

pc: Mr. Jeff Schwieterman
ec: Ryan Laake, DSW, CO
Tracking