



John E. Kasich, Governor
Mary Taylor, Lt. Governor
Scott E. Bailey, Director

Certified #91 7108 2133 3932 1838 1126

February 15, 2013

Bret Yetter, Managing Member
New Dover Estates MHP
1924 Fuller Road
Colorado Springs, CO 80920

NOTICE OF VIOLATION

**Re: New Dover Estates MHP
NPDES Permit 4PV00014/ OH0102130
Reconnaissance Inspection
Union County**

Dear Mr. Yetter:

On February 13, 2013, a Reconnaissance Inspection was conducted at the New Dover Estates MHP. Present for the inspection were Jackie and Josh, staff at the park, John Kincaid, Operator of Record, 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 sand filter was ponded and overflowing the sand beds (see Figure 1). This is a bypass of a plant process which is prohibited by the NPDES Permit Part III Section 11. Therefore, **this letter serves as a Notice of Violation.**
2. **The permittee failed to report the bypass which is another violation of the permit.** Mr. Kincaid indicated he would resume notifying this office of bypasses when they occur.
3. Mr. Kincaid estimated that flows at the drinking plant are similar to the flows experienced at the WWTP at 50,000 GPD. This is double the capacity of the WWTP which is rated at 25,000 GPD. The influent, EQ, and dosing pumps were continuously running as a result of the high flows. It was indicated that high flow rates are caused by residents continually running water to prevent pipes from freezing. Regardless of the cause, **please provide a schedule for either upgrading the plant or reducing flows to the plant.**

4. In addition to high flows related to water usage, there may be additional I&I to address. Between December 8 and December 22, 2012, there were 8 days with reported flows over 45,000 GPD. Most of these days were above freezing (see Table 1). **Please provide a table of flow rates for the water treatment plant and waste water treatment plant in order for this office to better evaluate the source of high flow.**
5. The mixed liquor within the aeration tanks was mostly clear which indicates little to no treatment was occurring. Mr. Kincaid has sludge within the sludge holding tank to re-seed the plant once flows taper to plant design. **Please notify this office when the aeration tank has been re-seeded.**
6. The renewed NPDES permit has the facility classified as a Class I WWTP which requires a Class I operator to be at the WWTP three times a week for a total of 1.5 hours. This determination was made based on prior non-compliance. Based on the current bypass, this office would not recommend the classification be modified until such a time as reliable permit compliance is maintained. **Minimum staffing requirements should commence immediately.**
7. The permit currently has a typographical error regarding bacteria sampling. The parameter "Fecal Coliform" will be modified to "E. Coli" as the numerical limits correspond to "E. Coli".

Attached is the inspection report. **A response is required by March 22, 2013.** Please note that failure to comply with the NPDES permit may result in enforcement action which may include a financial penalty. If you have any questions or comments concerning the enclosed inspection report, please contact me at (614) 728-3846 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



Table 1: Temperature, Precipitation, and Flow Rate¹

Year	Month	Date	Temperature (F)		Precipitation Information			Flow Rate (MGD) ³
			Max.	Min. ²	Rain, melted snow, etc. (in)	Snow, ice pellets, hail (in)	Snow, ice pellets, hail, ice on ground (in)	
2012	12	1	61	36	0			0.025
2012	12	2	55	48	0			0.016
2012	12	3	63	54	0.19			0.016
2012	12	4	64	41	Trace			0.013
2012	12	5	42	31	0.42			0.027
2012	12	6	44	36	0			0.027
2012	12	7	48	41	0.17			0.027
2012	12	8	51	40	0.6			0.046
2012	12	9	55	38	0			0.025
2012	12	10	55	32	0.54			0.040
2012	12	11	34	27	Trace			0.023
2012	12	12	41	24	0			0.027
2012	12	13	44	32	0			0.027
2012	12	14	51	29	0			0.027
2012	12	15	49	36	0			0.024
2012	12	16	58	45	0			0.028
2012	12	17	46	38	0			0.024
2012	12	18	43	36	0.32			0.025
2012	12	19	44	38	0			0.017
2012	12	20	48	33	0			0.017
2012	12	21	33	28	0.85	1	1	0.042
2012	12	22	33	22	0.04	1	2	0.040
2012	12	23	38	21	0	0	2	0.023
2012	12	24	33	24	0	0	2	0.022
2012	12	25	32	30	0.05	0	2	0.023
2012	12	26	33	26	Trace	0	2	0.023
2012	12	27	29	24	0.74	7	9	0.023
2012	12	28	32	25	0	0	9	0.023
2012	12	29	32	25	0.2	2	9	0.029
2012	12	30	26	20	0.01	0	8	0.029
2012	12	31	35	19	0	0	7	0.029

¹ Table is based on data obtained from National Oceanic & Atmospheric Administration for Marysville, OH monitoring station.

² Highlighted minimum temperature cells are below 33 F.

³ Highlighted flow rate cells are the top 9 flow rates of December 2012.

NPDES Compliance Inspection Report

SECTION A: NATIONAL DATA SYSTEM CODING				
Permit #	NPDES #	Inspection Type	Inspector	Facility Type
4PV00014	OH0102130	RI	S	2
Inspection Date	Entry Time	Exit Time	Notice of Violation	Significant Non-Compliance
2/13/2013	10:00 AM	10:20 AM	Yes	No

SECTION B: FACILITY DATA	
Name and Location of Facility Inspected	Permit Effective Date
New Dover Estates MHP	1/1/2013
	Permit Expiration Date
	12/31/2017
Name(s) and Title(s) of On-Site Representatives	Phone Numbers
Jackie, Park manager Josh John Kincaid, Operator of Record	
Name and Title of Responsible Official	Phone Number
Bret Yetter, Managing Member	(719) 531-7650

SECTION C: AREAS EVALUATED DURING INSPECTION		
Key: S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated		
U	NPDES Compliance	Failure to notify of bypass
S	Operations & Maintenance	
U	Facility Site Review	Bypass occurring over sand filter wall.
N	Collection System	
S	Flow Measurement	
S*	Receiving Waters	There have been no effluent violations but I have concerns that the bypass may be outside of effluent limitations.
N	Laboratory	

Comments: Facility must reduce flows or increase treatment capacity to prevent solids washout.

Signatures	
 2/14/13	 2/14/13
Cole Miller, Inspector Compliance & Enforcement Division of Surface Water Central District Office	Erin Sherer, Reviewer Compliance & Enforcement Supervisor Division of Surface Water Central District Office

Compliance Data for New Dover Estates MHP between 4/1/2012 to 1/1/2013

Summary

Permit Effluent Limit Violations: 0

Permit Effluent Code Violations: 0

Permit Effluent Frequency Violations: 0

Compliance Schedule Violations: 0

Flow Data for New Dover Estates MHP between 4/1/2012 and 2/1/2013

	Date	Flows (MGD)
Ten Highest Flows	12/17/2012	0.094
	12/15/2012	0.068
	12/16/2012	0.068
	12/18/2012	0.055
	12/10/2012	0.049
	12/8/2012	0.048
	12/21/2012	0.046
	12/22/2012	0.046
	9/14/2012	0.044
	8/5/2012	0.043
Average Flow Rate		0.021