



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

March 28, 2013

RE: EAST LIVERPOOL  
INDUSTRIAL PRETREATMENT PROGRAM  
NPDES PERMIT 3PD00009\*JD  
COLUMBIANA COUNTY

**NOTICE OF VIOLATION**

Mayor and Council  
City of East Liverpool  
126 W. 6th St.  
East Liverpool, Ohio 43920

Dear Mayor and Council:

The City's current National Pollutant Discharge Elimination System (NPDES) permit contains compliance schedules requiring the submission of local limits and sewer use ordinance (SUO) modifications by July 1, 2009, and submission of a mercury local limit by July 1, 2010. While there has been email communications with the City's consultant, the City has failed to submit these local limits.

The City is currently in Significant Non-compliance for violations of the NPDES permit. This fact was noted in the December 10, 2010 Industrial Pretreatment Program audit letter.

The City's NPDES permit expires on July 31, 2013. As part of the renewal process, the waste load allocations for metals and other parameters are evaluated and changed if needed. While these changes may require modifying the calculations for local limit determination, the majority of the calculations (removal efficiency, biological inhibition, sludge criteria) will not change. Because limited changes will be required, and because the local limit evaluation is more than two years overdue, the City must submit the required local limit technical justification to the Ohio EPA by May 3, 2013. The local limit technical justification must satisfy all the requirements found in Part II of the City's permit and in Ohio Administrative Code (OAC) 3745-42-03(A)(1)(d).

The NPDES renewal permit will contain a schedule of compliance item for submission of local limits within two months of the effective date of the permit. This submission requirement will include any changes required by changes in the waste load allocations.

If the City fails to submit the local limit evaluation by May 3, 2013, or if the City fails to comply with the terms of the renewal permit compliance schedule, escalated enforcement actions will be pursued.

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If you have any questions or comments, please contact me at (330) 963-1285. I can also be reached at [donna.kniss@epa.state.oh.us](mailto:donna.kniss@epa.state.oh.us).

Sincerely,



Donna J. Kniss  
District Engineer  
Division of Surface Water

DJK/cs

cc: Robert Wright, East Liverpool WWTP  
Ryan Laake, Ohio EPA, DSW, CO

ec: Joe Trocchio, Ohio EPA, DSW, NEDO  
Sara Hise, Ohio EPA, DSW, CO

File: Municipal Pretreatment/PCI-Correspondence