



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

April 30, 2013

Ms. Karen Hahn
7120 Eagle Creek Road
Cincinnati, Ohio 45247

**RE: NPDES 1PZ00104*AD/OH0132241
Li'l Goodie Shoppe
Notice of Violation**

Dear Ms. Hahn:

I have conducted a compliance review of the Discharge Monitoring Report (DMR) for the month of March 2013 for the referenced facility's NPDES permit. My review indicates violations of the conditions of the NPDES permit for the facility. The specific instances of non-compliance are as follows:

EFFLUENT LIMIT VIOLATIONS AT OUTFALL 1PZ00104001

<u>Parameter</u>	<u>Date</u>	<u>Permit Limit</u>	<u>Value Reported</u>
Total Suspended Solids	3/2013	12 mg/l	484 mg/l
Total Suspended Solids	3/2013	0.0228 kg/d	1.0625 kg/d
Nitrogen, Ammonia	3/2013	3.0 mg/l	1.1 mg/l
Nitrogen, Ammonia	3/2013	0.0056 kg/d	0.02371 kg/d
CBOD5	3/2013	10 mg/l	1,070 mg/l
CBOD5	3/2013	0.019 kg/d	2.3489 kg/d
Dissolved Oxygen	3/2013	> 6.0 mg/l	AA below detect

A non-compliance notification was not submitted to this agency regarding the violations above from the Operator of Record for this facility, Joe Holtgrewe.

SCHEDULE OF COMPLIANCE VIOLATIONS

- | | | |
|---|---------------|----------------------|
| a. Submit detail plans for improvements | due 12/1/2011 | NOV issued 01/6/2012 |
| b. Start construction | due 03/1/2012 | |
| d. End construction | due 12/1/2012 | |
| f. Comply with limits | due 12/1/2012 | |

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As detailed above the schedule of compliance dates for b, d, and f are past without meeting the effluent limits for this facility. We had discussed on 1/10/2012, some options regarding a holding tank since your investigations of the public sewer were not immediately viable. The holding tank option is still available in order to address the non-compliance issues with the inadequate wastewater treatment plant at this facility.

Because this facility is in significant non-compliance with the Schedule of Compliance, I must prepare a Compliance and Enforcement Plan (CEP) for this facility. The CEP must include a Return to Compliance (RTC) date by which a decision will then be made to either recommend an enforcement action or withhold from this action due to progress being made to comply with the permit.

I am proposing a RTC date of October 1, 2013, for the installation of a holding tank or connection to the closest public sanitary sewer. The holding tank option requires the submittal of a Permit to Install (PTI) application and detail plans as I have discussed previously. The connection to the public sewers may require a tap which would not require a PTI from this agency. If the sewer district requires a sewer extension, then that would require a PTI.

If you propose an alternative date or solution to resolve the compliance issues, I am available to meet with you to discuss them. I request that you respond to this notice in writing by May 14, 2013 to acknowledge the significant non-compliance and the proposed RTC date. If you have any questions regarding this Notice of Violation, please call me at (937) 285-6101.

Sincerely,



Mary Osika
Environmental Specialist
Division of Surface Water

MO/kb

ec: Joseph Holtgrewe, Operator
Karen Hahn, Owner