



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

May 2, 2013

RE: HYPONEX SHREVE FACILITY
NPDES PERMIT NO. 3IN00166
PLAIN TOWNSHIP, WAYNE COUNTY
COMPLIANCE EVALUATION INSPECTION

Mr. Lewis Morris Jr., Office Manager
Hyponex Corp.
3875 South Elyria Road
Shreve, OH 44676

Dear Mr. Morris:

On March 14, 2013, a site inspection was conducted at the above referenced facility at 3875 South Elyria Road, Wooster Township, Wayne County. The inspection was conducted by John Schmidt, Jon Jamison, and Veronica Newsome of this office, with you representing Hyponex Corporation. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the facility's National Pollutant Discharge Elimination System (NPDES) permit and in conjunction with the renewal of said permit. The last compliance inspection was conducted on March 9, 2010.

The Hyponex Corporation is a subsidiary of the Scotts Company, and is located on a 570-acre tract. The facility is currently a Class II Compost Facility and has permits through the U.S. Army Corps of Engineers Ohio EPA's Division of Materials and Waste Management (DMWM). The facility is currently authorized to harvest peat from 166 acres of the property. The mining process involves excavation and drying the peat, mixing the dried peat with various composting materials, and bagging the final product. There are two wastewater treatment systems at the facility, one for treating industrial wastewaters generated from the peat process, and a sanitary wastewater treatment system to treat domestic sewage generated from employees.

Sanitary Wastewater Treatment Plant

The treatment system consists of a trash trap, 1,500 gallon extended aeration plant with clarification, dosing tank, slow surface sand filtration, and a chlorine disinfection tank with tablet chlorination, and a tablet dechlorination. Sludge management consists of sludge removal from an aerated sludge holding tank when needed to another publicly owned treatment works (POTW). The facility discharges through internal monitoring station Outfall 601 prior to discharge through industrial discharge point Outfall 002.

Industrial Wastewater Treatment Plant

Hyponex is currently permitted to discharge from a sedimentation basin pond tributary to Outfall 001. Water from harvested peat cells is pumped to each adjacent cell and the process repeated until the wastewater reaches the sedimentation pond. Outfall 001 discharges to Kiser Ditch, located southwest of the sedimentation pond. Water from equipment rinsing pad, sanitary wastewater treatment plant, and an artesian well overflow discharge to Outfall 002, also tributary to Kiser Ditch.

Runoff from a manure composting pit flows through a wide vegetative strip for treatment prior to discharge to surface water drainage swales.

Observations and Notations

1. Ohio EPA records reflect that nobody is listed as the operator of record for the sanitary wastewater treatment plant (WWTP) at this facility. Based on our conversations during the inspection, Lewis Morris is the primary operator of this plant. An Operator of Record notification form must be completed as soon as possible and submitted for this facility.
2. A copy of the facility log book, current NPDES permit, and operation and maintenance manual for the facility were available for inspection. The documentation is maintained on loose-leaf sheets and not contained in a bound log book. Operator sign-in and sign-out times must be provided to document minimum staffing. The lack of documents is not in compliance with OAC 3745-7-09. There are no records to document that minimum staffing requirements for the sanitary plant are being met.
3. The trash trap appeared on good condition and is operating as designed. Materials are removed from the trash trap for disposal by landfill. Materials were last removed approximately 6 months ago.
4. The content of the aeration tank had a compost odor, dark brown color with good mixing and no foam present. The blowers were cycled and found in operating condition. The blowers were running and the plant was receiving sufficient aeration. The color and odor are typical for a properly operating aeration tank.
5. The surface of the clarifier was clear. Effluent channels were observed in good condition. The skimmer was found in operating condition, and the return sludge lines were observed as operating properly.
6. The sand filter dosing pumps were cycled and were found operating properly. The audio alarm was working properly, but the visual alarm was not. This must be corrected as soon as possible. The water discharged to the sand filters during the cycling operation was observed as clear.
7. The surface sand filters were reasonably clean, raked, and level. The south bed was in use at the time of the inspection with the north bed prepared for use. Water discharging to the sand filters was noted as clear, and the water freely percolated through the beds, indicating that they are not clogged.
8. The disinfection and dechlorination systems were not observed as it was outside the normal disinfection season. The chlorine tank was noted as needing cleaning, and Mr. Morris indicated that it would be cleaned prior to commencement of the disinfection season.
9. Sludge is removed from the plant semiannually and hauled to a POTW for processing and disposal. Tanks are pumped by Miller Septic.
10. The final discharge through Outfall 601 was not observed. The effluent from the chlorine contact tank as clear and of a satisfactory visual quality.
11. The sedimentation pond appears to be functioning as designed. The sedimentation pond was last cleaned out approximately 4 to 5 years ago. Mr. Morris noted that peat has not been harvested in this area in the past 3 to 4 years, and that the sedimentation pond is rarely used.
12. The final discharge through Outfalls 001 or 002 were not observed.

13. Ohio EPA understands that Lewis Morris performs the daily operations, monitors the facility, and performs the routine observations of flow, color, odor, and turbidity. Analytical services are provided by Alloway Laboratories. Alloway submits the electronic discharge monitoring report (eDMR) on behalf of Hyponex through Ohio EPA's Web-based application.
14. The sedimentation basin was observed in good working order. The basin is scheduled for cleanout when the capacity falls below those specified in the Storm Water Pollution Prevention Plan (SWPPP).
15. The storm water pollution prevention plan (SWPPP) was updated in June 2012. The annual site inspection was conducted on December 17, 2012, and the annual certification was conducted on December 17, 2012. Employee training was conducted on October 31, 2012.

NPDES Permit Compliance Review

A review of the electronic discharge self-monitoring reports (eDMRs) received by Ohio EPA for the period March 1, 2010 through March 1, 2013 indicates apparent noncompliance of the terms and conditions of your NPDES permit as follows:

Limit Violations

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
602	31616	Fecal Coliform	30D Conc	1000	1000.	5/1/2010
602	31616	Fecal Coliform	30D Conc	1000	1153.25	7/1/2010
602	31616	Fecal Coliform	1D Conc	2000	2000.	6/9/2011
002	00530	Total Suspended Solids	30D Conc	30	130.	2/1/2012
002	00530	Total Suspended Solids	7D Conc	45	130.	2/15/2012

Part III, Item 12 of your NPDES permit requires that a written explanation as to why these events occurred must be provided, along with measures to ensure that it is not repeated. For future reference, noncompliance notifications must be made within 24 hours of discovery. Noncompliance notification forms may be found at www.epa.ohio.gov/portals/35/permits/24-hour_reporting_Form4498_bypasses.doc. I shared a copy of the noncompliance notification requirements with you during the inspection.

Reporting Violations

No reporting code violations or reporting frequency violations are noted for the reporting period reviewed.

Compliance Schedule Violations

NPDES Permit 3IN00166*ED contains the following compliance schedule:

Permit Effective Date	Permit Expiration Date	Schedule Due Date	Completion Date	Event Code	Schedule Type	Schedule Milestone
12/1/2011	9/30/2012	7/1/2008	7/1/2009	-----	Plans	Submit SWPPP

While the SWPPP was submitted, it was not submitted within the timeframe required by your compliance schedule. No further information is needed to respond to the violation.

NPDES Permit Renewal

Please note that your current NPDES permit expired on September 30, 2012. The renewal application was received by Ohio EPA on August 6, 2012, within the prescribed timeframe specified

by Part III of your NPDES permit. You will continue to follow your existing permit until your new NPDES permit becomes effective.

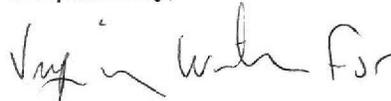
Other Violations

1. Notification of Operator of Record: Part II, Item A of your NPDES permit requires that your sanitary wastewater treatment works must be under the supervision of a Class I State Certified Operator. Although the plant is being seen by a licensed operator (Mr. Morris), Ohio EPA has not received designation of the Operator of Record for this Facility. Mr. Morris must formally notify Ohio EPA that they are the designated operators of record. Necessary forms for doing this may be found on the web at <http://epa.ohio.gov/dsw/opcert/opcert.aspx>, and a copy was provided to Mr. Morris during the inspection. Please submit this executed form to our central office and copy this writer. Please note that Ohio rules (Ohio Administrative Code 3745-7-04) obligate the operator of record to inspect and maintain the facility three times weekly for a total of 1.5 hours, as well as being available to respond to any emergencies if and when they arise.
2. Failure to Maintain a Facility Log Book and Other Onsite Records: The inspection revealed that records required pursuant to OAC 3745-7-09(A)(3) are not being maintained at the facility and were not available for inspection as required by rule. A log book must be maintained at the WWTP and available for inspection 24 hours a day. This is typically accomplished by posting a mailbox or some other weather-tight container at the WWTP or maintaining the records in an office that is accessible 24 hours per day. The records must be accessible onsite for twenty-four hour inspection by agency or emergency response personnel as prescribed by OAC 3745-7-9(A)(2). Hyponex is responsible to make sure that the log book is available and maintained on site for 24-hour access by Ohio EPA and emergency response personnel. The log must include inspection dates with time in and time out, clearly identify who is logging time at the facility, and list all activities being performed during the visit, including any analysis not represented by a laboratory bench sheet. In addition to the log book, a copy of the operation and maintenance manual must be maintained at the site. While the O&M manual and some operator information were available for inspection, the log is not maintained in a bound book as required by rule. While inspection days were noted, sign out times were not provided to document minimum staffing is being maintained. For future reference, please indicate where these items will be maintained so that they are accessible to Ohio EPA staff and emergency personnel.
3. Minimum Staffing Requirements: Based upon the lack adequate records to document inspections by your operator, Hyponex is in violation of OAC 3745-7-04 for not meeting minimum staffing hour requirements. The facility must be staffed by a licensed operator three times weekly for a total of 90 minutes and that information documented in the facility log.

Please inform this office, in writing, within 30 days of the date of this letter as to the actions we discussed that have been or will be taken to correct the above noncompliance or explanations if you believe the noncompliance issues noted are in error. Your response to this letter should include the dates that the actions have been or will be completed. Please be advised that past or present issues of noncompliance can continue as subjects of future enforcement actions by Ohio EPA.

If you have any questions or comments regarding this inspection, please feel free to contact me at (330) 963-1175.

Respectively,

A handwritten signature in black ink that reads "Veronica A. Newsome" in a cursive style.

Veronica A. Newsome
Assistant to District Engineer
Division of Surface Water

JMS/cs

cc: Ken Eng, Wayne County Health Department
Todd Surrena, Ohio EPA, DSW, CO

File/Industrial/Hyponex Corp./PC (3IN00166)