



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

May 8, 2013

RE: TRUMBULL COUNTY  
MECCA TWP  
JAK'S FINE FOODS  
NPDES PERMIT NO. OH0137049  
OHIO EPA PERMIT NO. 3PR00411

Mr. Kevin Cook, Owner  
Jak's Fine Foods  
2323 Greenville Road  
Cortland, Ohio 44410

Mr. Cook:

Ohio EPA conducted a compliance evaluation inspection of the wastewater treatment works serving the above-referenced facility on April 30, 2013. The inspection was performed to evaluate the operation and maintenance of the treatment system, and determine the facility's overall compliance with the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit.

The existing treatment system consists of a trash trap, 2,462-gpd extended aeration activated sludge treatment process, final settling tank, scum tank, slow surface sand filters, and a chlorination/dechlorination chamber. Treated effluent is discharged to a storm sewer that is tributary to Mosquito Creek Reservoir.

During the inspection, the following observations and/or deficiencies were noted:

1. The overall operation and maintenance of the treatment works appeared to be satisfactory. All treatment units appeared to be in working condition.
2. The mixed liquor was a chocolate brown color, indicative of a healthy bacterial population.
3. Floating sludge was observed in the clarifier.
4. Sludge deposits were observed on the sand filters.
5. Please install stone riprap around the sand filter splash pads.
6. The sand filters need to be raked level.
7. Please note that disinfection season is from May 1 through October 31.
8. Chlorine tablets should be stored indoors to prevent weather-caused deterioration.
9. The final effluent appeared to be clear, and was not causing any immediately-noticeable, adverse impacts to the receiving stream.

10. Part II, J of the facility's NPDES permit requires that an outfall sign be erected no later than 4 months from the effective date of the permit, which was November 1, 2011. During the inspection, no such outfall sign was noted.
11. This office understands that the facility's operator, Mr. Travis Cook, maintains electronic O & M records on site. Please provide copies of the O & M records for the period May 2011 – present.

A review of the facility's monthly electronic Discharge Monitoring Reports (eDMRs) received by Ohio EPA for the period May 2011 – April 2013 indicated violations of the terms and conditions contained in the NPDES permit. The following instances of noncompliance include:

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
3PR00411*AD	June 2011	001	31616	Fecal Coliform	30D Conc	1000	8100.	6/1/2011
3PR00411*AD	June 2011	001	31616	Fecal Coliform	1D Conc	2000	8100.	6/7/2011
3PR00411*CD	March 2012	001	00300	Dissolved Oxygen	1D Conc	6.0	4.8	3/20/2012
3PR00411*CD	August 2012	001	00300	Dissolved Oxygen	1D Conc	6.0	2.9	8/6/2012

The eDMR review also indicated that daily flow values continue to be reported as the facility's permitted daily flow of 2,462 gpd, despite past notices from this office indicating that this is **incorrect**. Please note that the NPDES permit requires that daily flow rates **must be estimated** using accepted engineering practices. Part I, A of the NPDES permit contains language describing acceptable methods for estimating daily flows.

In addition to the eDMR review, this office also noted that Mr. Ed Mosko of Valley Environmental Labs, Inc. has been routinely submitting the facility's eDMR data. Pursuant to Part III, Item 28 of the NPDES permit, "all reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22". 40 CFR 122.22 explains that reports or any other information requested by the Director must be signed and certified by an individual having authority to sign permit applications as described in 40 CFR 122.22 (a), or by a duly authorized representative.

As explained in this section:

*A person is a duly authorized representative if:*

- (1) *The authorization is made in writing by a person described in paragraph (a) of this section;*
- (2) *The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,*
- (3) *The written authorization is submitted to the Director.*

This office has no documentation on file (no ORC form) indicating that Mr. Ed Mosko has been officially designated as an operator of record for the facility. As such, and based on the requirements outlined in 40 CFR 122.22, Mr. Mosko may not submit eDMR data on behalf of Jak's Fine Foods.

In addition to the inspection findings and the eDMR review, you were also required to submit to this office, within six months of the effective date of the NPDES permit, a report evaluating the ability of the existing treatment works to meet the Escherechia coli (E. coli) monitoring limits that became effective twelve months after the effective date of the NPDES permit, which was November 1, 2011. To date, this office has not received the required E. coli status report. While the eDMR review indicated there have been no issues with meeting the E. coli limits, the report is still necessary.

Please be advised that failure to comply with the terms and conditions of your NPDES permit may be subject to enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code. Additionally, past or current acts of noncompliance can continue as subjects of future enforcement actions. Such enforcement actions can result in fines of up to \$10,000 per day of violation.

Please submit to Ohio EPA, within 14 days' receipt of this notification, written documentation describing the course of action that will be taken, or has been taken, to address the items identified in this letter. Your response shall include specific dates for the initiation and completion of this action plan.

Should you have any questions or comments regarding this letter, please contact this office at (330) 963-1120.

Respectfully,



Tomás Parry, P.E.  
Environmental Engineer  
Division of Surface Water

TP/cs

Attachments: ORC form  
Photographs

cc: Travis Cook, Jak's Fine Foods  
Steve Kramer, R.S., Trumbull County Board of Health  
Valley Environmental Labs, Inc.

