



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

May 24, 2013

RE: GENEVA MOBILE HOME PARK
OHIO EPA PERMIT 3PV00117
GENEVA TWP, ASHTABULA COUNTY
COMPLIANCE INSPECTION EVALUATION

NOTICE OF VIOLATION

Mr. Stuart Cordell, Esq.
Warren and Young PLL, Attorneys at Law
Estate of Rudolf W. Herzog, dba Geneva Trailer Park
Mr. William R. Herzog, Executor
134 West 46th Street
P.O. Box 2300
Ashtabula, Ohio 44005-2300

Dear Mr. Cordell:

On May 20, 2013, the Ohio EPA Northeast District Office received a complaint from a resident at the Geneva Mobile Home Park at 4546 North Ridge Road (U.S. Route 20), Geneva Township, Ashtabula County. Specifically, the complainant indicated that sewage was backing up from a connection at Lot 43 and discharging on the ground. The complainant also indicated that your office was informed of the problem on May 20, 2013, and that Roto-Rooter had been dispatched to this location, but to-date no action had been taken to resolve the blockage. Upon receiving the complaint, I contacted your office to verify that you had been informed of the situation. You indicated that the trailer was supposed to be abandoned and that the connection was illegal.

On May 23, 2013, I met with Erin Bassford of Lot 17, and Tina Martinez of Lot 43. Upon operating the plumbing in the trailer on Lot 43, sewage was observed coming from the sanitary connection in the ground at the northwest corner of the trailer, just east of the steps to the entrance to the trailer.

Ohio EPA considers the discharge of sewage to be a sanitary sewer overflow that must be reported in writing, along with measures to ensure that it is not repeated and remediation actions taken. Sewage sludge and sewage will need to be vacuumed from the ground and lime placed over the area to disinfect the spill area. The line will need to be snaked and the blockage removed. The sewer main line along the service road will need to be checked for flow between Lot No. 17 and Lot No. 43.

Ohio EPA notes the following violations of your NPDES permit:

Failure to Notify of a Sanitary Sewer Overflow (SSO)

Sanitary sewer overflows are considered unauthorized discharges pursuant to Part III, Item 11 of your NPDES permit, and failure to report an overflow within 24 hours of discovery is a violation of Part III, Item 12 of your NPDES permit. The March 20, 2013, sanitary sewer overflow at Lot No. 43 of the trailer park is an SSO. A written report of the chronology of events associated with the overflow and the steps taken to eliminate the overflow must be sent to Ohio EPA's Northeast District Office.

Part III, Item 12 of your NPDES permit requires you to notify Ohio EPA of any violations, along with measures taken to ensure that they are not repeated. To-date, Ohio EPA has not received this notification for the limit violations noted above along with the measures to be taken to ensure that they are not repeated.

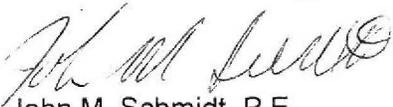
As you are aware, fact sheet on the above requirements may be found online at http://epa.ohio.gov/portals/35/permits/24-hour_Report_FactSheet.pdf and the noncompliance notification forms may be found online at <http://epa.ohio.gov/dsw/permits/individuals.aspx>.

Please inform this office, in writing, within 14 days of the date of this letter as to the actions that 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 also be advised that past or present issues of noncompliance can continue as subjects of future enforcement actions by Ohio EPA and are subject to fines up to \$10,000 per violation per day. Note that any legal disputes between occupants of the mobile home park and the estate of Rudolf W. Herzog does not eliminate the estate from meeting the legal requirements of all other state laws including the Clean Water Act.

Ohio EPA expects that that no future calls will be received regarding the illegal discharge of pollutants to waters of the state due to these issues. If problems continue at this facility, Ohio EPA will be referring this facility for escalated enforcement.

Should you have any comments or questions concerning this correspondence, please feel free to call me at (330) 963-1175.

Respectfully,



John M. Schmidt, P.E.
Water Quality Engineer/Supervisor
Division of Surface Water

JMS/cs

cc: Mr. Michael B. Locy, A & C Mobile Homes Inc
Mr. Dustin Lewis, Clear Stream, Inc.
Marlene Knopsnider

File/Semipublic/Ashtabula/Geneva Twp/Geneva Trailer Park (3PV00117)