



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

Re: **Notice of Violation**  
Allen County  
Rudolph Foods Company, Inc.  
Ohio EPA Permit No. 2IH00112  
NPDES Permit No. OH0137961

June 7, 2013

Mr. Mike Merillat  
Corporate Engineering Manager  
Rudolph Foods Company, Inc.  
P.O. Box 509  
Lima, Ohio 45802

Dear Mr. Merillat:

We are in receipt of your self-monitoring report covering the months of January through December 2013 for the referenced facility. Our review indicates a violation of the conditions of your National Pollutant Discharge Elimination System (NPDES) permit. The specific instance of non-compliance is enclosed on a separate sheet.

We have received an email response from Mr. Kenny Stanfield, dated March 18, 2013, and require no further information for the violation at this time.

This letter also serves as a Notice of Violation (NOV) for installing wastewater treatment equipment without first obtaining a Permit to Install (PTI) from the Director of Ohio EPA. On May 15, 2013, Mr. Stanfield also submitted a response email for another NPDES permit violation. In that response, it was indicated that equipment to adjust pH at one of the facility's NPDES permitted outfalls was installed. Our office does not have a PTI on file for the installation of that equipment. Ohio Revised Code (ORC) 6111.44 requires that a PTI from the Director of Ohio EPA be obtained prior to the installation of any wastewater treatment equipment. You will likely be receiving an enforcement action from the Director of Ohio EPA in the near future.

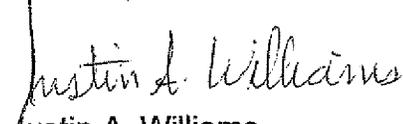
Please be advised that failure to comply with the effluent limitations and/or monitoring requirements, including adequate laboratory controls, appropriate quality assurance procedures, and records retention, as specified in your Part III-General Conditions of your NPDES permit may be cause for enforcement action pursuant to ORC Chapter 6111. If these violations continue to occur and if satisfactory progress is not made, it may be necessary to initiate enforcement action to achieve compliance.

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The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. Information about Ohio EPA's Office of Compliance Assistance & Pollution Prevention can be found on Ohio EPA's Website at <http://epa.ohio.gov/ocapp> or by calling (614) 644 – 3469.

If there are any questions, please contact me at (419) 373 – 3022.

Sincerely,



Justin A. Williams  
Environmental Specialist II  
Division of Surface Water

/jlm

Enclosure

ec: NOV Tracking

Get New Data

Violation for Rudolph Foods, Inc. January - March 2013

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2IH00112*AD	March 2013	005	00400	pH	1D Conc	6.5	5.9	3/11/2013