



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

Re: **Notice of Violation**
 Seneca County
 IAR Land -- Fostoria LLC
 NPDES 2IN00211*BD

June 28, 2013

Mr. John Bones
 Managing Member
 IAR Land – Fostoria LLC
 13129 23 Mile Road
 Shelby Township, Michigan 48315

Dear Mr. Bones:

A review of the IAR Land-Fostoria LLC monthly discharge monitoring reports (DMRs) has been conducted for the months of February 2012 through May 2013. Our review indicates violations of the conditions of your National Pollutant Discharge Elimination System (NPDES) permit. The specific instances of non-compliance are as follows:

**2IN00211*BD (Outfall 005)
 February 2012 through May 2013**

Frequency Violation: DMR were not submitted for the following months							
Reporting Period			Violation				
April 2012			DMR not submitted				
November 2012			DMR not submitted				
February 2013			DMR not submitted				
March 2013			DMR not submitted				
April 2013			DMR not submitted				
May 2013			DMR not submitted				
Effluent Limit Violations							
Reporting Period	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date	
February 2012	00530	Total Suspended Solids	1D Conc	45.0	64.	2/21/2012	
February 2012	00530	Total Suspended Solids	30D Conc	30.0	64.	2/1/2012	
September 2012	00400	pH	1D Conc	6.5	5.9	9/18/2012	
December 2012	00550	Oil and Grease, Total	1D Conc	10.0	11.	12/27/2012	
Frequency Violations							
Reporting Period	Reporting Code	Parameter	Limit Type	Reported Value	Violation Date		
December 2012	00045	Total Precipitation	1/Day	None	Daily (31 days)		
December 2012	00056	Flow Rate	1/Day	None	Daily (31 days)		
January 2013	00045	Total Precipitation	1/Day	None	Daily (31 days)		
January 2013	00056	Flow Rate	1/Day	None	Daily (31 days)		

Mr. John Bones
June 28, 2013
Page Two

Pursuant to Ohio Revised Code (ORC) Section 6111.07(A), no person shall violate or fail to perform any duty imposed by ORC Sections 6111.01 to 6111.08 or term or condition of a permit issued or adopted by the Director of Ohio EPA pursuant to those sections. It is noted IAR Land – Fostoria LLC violated terms and conditions of its NPDES permit and each day of violation is a separate offense.

Please be advised that failure to comply with the effluent limitations and/or monitoring requirements specified in 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.

Please inform this office in writing within ten days of receipt of this letter as to the reasons for the above referenced violations, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

Failure to properly operate and maintain the wastewater treatment plant (WWTP), and submit the required DMRs, is cause for escalated enforcement action that may include penalties.

If there are any questions, please contact me at 419-373-3014.

Yours truly,


Mary Beth Coher
Division of Surface Water

/jlm

cc: John Bones
Thomas Welkins
Dan Thornton, Fostoria City Engineer
Tracking