



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

Re: **Notice of Violation**
Allen County
LaFayette WWTP
Ohio EPA Permit No. 2PA00049
NPDES Permit No. OH0053155

CERTIFIED MAIL 7009 1410 0001 1834 5161

June 24, 2013

Mayor and Council
Village of LaFayette
P.O. Box 7184
LaFayette, Ohio 45854

Dear Mayor and Council:

On June 3, 2013, our office sent you a Notice of Violation (NOV) letter (enclosed) regarding the Village of LaFayette's wastewater treatment plant (WWTP). That letter requested that a written response regarding those violations outlined in the letter be submitted to our office within 14 days of the date of the letter. It also identified three discharge monitoring reports that were not submitted for November 2012. Our letter requested that the missing reports be submitted within 10 days of the date of the letter. To date, our office has not received a response from the Village regarding the violations detailed in our June 3, 2013, letter; nor have the missing November 2012 discharge monitoring reports been submitted.

Achieving compliance with Ohio's environmental laws is a primary focus of Ohio EPA in order to reduce risks to public health and welfare. **Within 10 days** of the date of this letter, contact me at the phone number or email address below to set up a meeting to discuss the violations listed in our June 3, 2013, letter. A copy of that letter and its attachments are enclosed for your reference.

If we do not receive your timely response or if your response does not adequately address the violations attached with our June 3, 2013, letter, our office will recommend that the Director of Ohio EPA take an enforcement action against the Village of LaFayette to bring its WWTP into compliance with Ohio law and its National Pollutant Discharge Elimination System (NPDES) permit.

Please contact me at (419) 373 -- 3022 or at Justin.Williams@epa.ohio.gov.

Sincerely,

A handwritten signature in black ink that reads "Justin A. Williams". The signature is written in a cursive style.

Justin A. Williams
Environmental Specialist II
Division of Surface Water

/jlm
Enclosures
pc: Mr. Wes Hites, Operator
ec: Tracking



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Re: **Notice of Violation**
Allen County
LaFayette WWTP
Ohio EPA Permit No. 2PA00049
NPDES Permit No. OH0053155

June 3, 2013

Mr. Wes Hites, Operator
LaFayette WWTP
9195 Sugar Creek Road
Harrod, Ohio 45850

Dear Mr. Hites:

We are in receipt of your self-monitoring reports covering the months of January through March 2013 for the referenced facility. Our review indicates violations of the conditions of your National Pollutant Discharge Elimination System (NPDES) permit. The specific instances of non-compliance are enclosed on a separate sheet. Further review of your self-monitoring reports for the previous six months, ending in March 2013, indicates that you are in significant non-compliance (SNC) with an effluent limitation contained in your NPDES permit. The specific instance of SNC is enclosed on a separate sheet.

A facility becomes in SNC when it exceeds the effluent limit for four or more months in two consecutive quarters or exceeds the effluent limit significantly in any two months in two consecutive quarters. Achieving compliance with Ohio's environmental laws is a primary focus of Ohio EPA in order to reduce risks to public health and welfare.

Within 14 days of the date of this letter, please submit, in writing, the reasons for the violations and the actions that you propose to undertake in order to return your facility to compliance with your NPDES permit. In that response you will need to provide a timeline for these actions that does not extend past August 31, 2013. Your responses and timetable may also be submitted by email to me at Justin.Williams@epa.ohio.gov.

If we do not receive your timely response or if your response does not adequately address the violations included with this letter, the Director of Ohio EPA will likely take an enforcement action against you to bring this treatment facility into compliance with Ohio law.

In regard to the two Station 001 and two Station 601 frequency violations, Part III, Item 1 of your NPDES permit defines the calendar weeks of the month as:

Week #1 = Days 1-7
Week #2 = Days 8-14
Week #3 = Days 15-21
Week #4 = Days 22-28

Mr. Wes Hites
June 3, 2013
Page Two

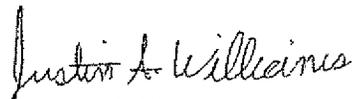
Days 29, 30, or 31 do not count as part of week #4 for weekly reporting requirements. Days 29, 30, and 31 are only counted for daily and monthly sample requirements. In the future, please ensure that you are collecting your samples on the appropriate days of the week.

This letter also serves as a Notice of Violation (NOV) to inform you that the discharge monitoring reports listed on the enclosed sheets of paper were submitted late (March 2013) or still not submitted (November 2012); however, we do understand the reason for the late submittals. As a reminder, hard copy self-monitoring report submissions are due on the 15th day of the following month and electronic submissions are due on the 20th day of the following month. We recommend all wastewater treatment facilities have a backup Operator of Record (ORC) in case of emergencies or other instances when the ORC normally in charge of operation would be absent. Please submit the missing discharge monitoring reports **within 10 days** of the date of this letter.

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 or if you wish to meet with our office to discuss this matter, please contact me at (419) 373 - 3022 **within 10 days** of receiving this letter.

Sincerely,



Justin A. Williams
Environmental Specialist II
Division of Surface Water

/jlm

Enclosures

pc: Mayor and Council, Village of LaFayette

ec: NOV Tracking

Get New Data

Violations for LaFayette WWP January - March 2013

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PA00049*ID	January 2013	001	00530	Total Suspended Solids	30D Conc	12.0	39.5	1/1/2013
2PA00049*ID	January 2013	001	00530	Total Suspended Solids	7D Conc	18.0	130.	1/1/2013
2PA00049*ID	January 2013	001	00530	Total Suspended Solids	30D Qty	4.5	6.79218	1/1/2013
2PA00049*ID	January 2013	001	00530	Total Suspended Solids	7D Qty	6.8	20.1740	1/1/2013
2PA00049*ID	January 2013	001	80082	CBOD 5 day	7D Conc	15.0	21.	1/1/2013
2PA00049*ID	February 2013	001	00530	Total Suspended Solids	30D Conc	12.0	22.15	2/1/2013
2PA00049*ID	February 2013	001	00530	Total Suspended Solids	7D Conc	18.0	35.	2/1/2013
2PA00049*ID	February 2013	001	00530	Total Suspended Solids	30D Qty	4.5	4.65309	2/1/2013
2PA00049*ID	February 2013	001	00530	Total Suspended Solids	7D Conc	18.0	27.	2/15/2013
2PA00049*ID	February 2013	001	00530	Total Suspended Solids	7D Conc	18.0	21.	2/22/2013

Permit No	Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
2PA00049*ID	January 2013	001	00400	pH	1/Week	1	0	1/8/2013
2PA00049*ID	January 2013	001	00300	Dissolved Oxygen	1/Week	1	0	1/8/2013
2PA00049*ID	January 2013	601	00530	Total Suspended Solids	1/Week	1	0	1/22/2013
2PA00049*ID	January 2013	601	80082	CBOD 5 day	1/Week	1	0	1/22/2013

Get New
Data

Get Detail
for Selected
Permit

Facilities in Significant Non-Compliance **

Period: Oct-12 Mar-13

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max. Exceed	# Months Signif. Exceed	# Months Exceed (2)**
Allen	2PA00049	LaFayette WWTP		1	00530	Total Suspended Solids	622.2	3	3

Footnotes

for Significant NonCompliance

** Significant non-compliance with effluent limits occurred if one or more pollutants met the following conditions:

1. During 2 or more months, the reported effluent concentration (or computed load) for a parameter exceeded an effluent limit by:
 - a. 40% for Group 1 pollutants plus Fecal Coliform
 - b. 20% for Group 2 pollutants plus pH, Temperature, whole effluent toxicity-- or --
2. During 4 or more months, the reported concentration (or computed load) exceeded the limit by > 1%.

Note: This method differs from USEPA Significant Non-compliance (SNC) method in the following ways:

- USEPA only evaluates SNC for average limits. In above analyses, maximum and weekly limits were also considered.

Get New
Data

Get Detail
for Selected
Permit

MORs not submitted

Period: Oct-12 Mar-13

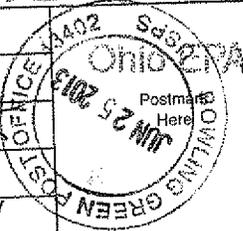
County	Permit #	Facility Name	Major	Station Code	Month Missing
Allen	2PA00049	LaFayette WWTP		1	11/1/2012
Allen	2PA00049	LaFayette WWTP		300	11/1/2012
Allen	2PA00049	LaFayette WWTP		601	11/1/2012

Get New Data

Facility	Ohio Permit	Fed Permit	Station	Required Report Period	DMR Received	Version No.
LaFayette WWTP	2PA00049*ID	OH0053155	1	1/1/2013	2/20/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	300	1/1/2013	2/20/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	601	1/1/2013	2/20/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	1	2/1/2013	3/20/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	300	2/1/2013	3/20/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	601	2/1/2013	3/20/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	1	3/1/2013	5/4/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	300	3/1/2013	5/4/2013	0
LaFayette WWTP	2PA00049*ID	OH0053155	601	3/1/2013	5/4/2013	0

7975 HERT 1000 OTH 6002

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only, No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	46
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	6.11



Sent To MAYOR/COUNCIL, VILLAGE OF LAFAYETTE	
Street, Apt. No., or PO Box No.	P O BOX 7184
City, State, ZIP+4	LAFAYETTE OH 45854

US Form 3800, August 2006 See Reverse for Instructions

Green return card missing.