



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

July 16, 2013

RE: TRUMBULL COUNTY  
BAZETTA TOWNSHIP  
NU FLUX ENGINEERED  
MATERIALS  
3295 ELM RD  
GENERAL PERMIT NO. OHV00002  
OHIO EPA PERMIT NO. 3GV00029

Steven Sanfrey  
Nu Flux Engineered Materials  
106 E. Market St.  
Suite 615  
Warren, Ohio 44481

Mr. Sanfrey:

Ohio EPA and the Trumbull County Board of Health conducted a compliance evaluation inspection of the wastewater treatment works serving the above-referenced facility on June 17, 2013. Mr. Steve Kramer represented the Trumbull County Board of Health, you represented Nu Flux Engineered Materials, and the undersigned represented Ohio EPA. The inspection was performed to evaluate the operation and maintenance of the treatment works, and determine the facility's overall compliance with the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit.

The existing 300-gpd treatment system consists of a prefabricated Aquasafe home aeration system with integral settling chamber, dual-unit slow surface sand filters, and a UV disinfection and post-aeration basin. Treated effluent is discharged to a nearby roadside ditch.

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

1. The overall operation and maintenance of the treatment works was satisfactory. All treatment components appeared to be in working condition.
2. A bound and numbered logbook was not observed at the facility. Logbooks must be maintained on site to document all O & M activities performed at the treatment works. All entries in the O & M logbook must include the date, time in/out, initials of the O & M personnel, and a description of the work performed.
3. The mixed liquor was a light brown color. The system appears to receive a relatively low daily hydraulic load.
4. Please install a fence around the treatment works to protect it from vehicular traffic and prevent unauthorized access.

5. Part IV, I of the facility's general NPDES permit requires that an outfall sign be erected by no later than 4 months from the effective date of the permit, which was April 1, 2010. During the inspection, no such outfall sign was observed. Please refer to the above-referenced section of the NPDES permit for specific requirement regarding sizing and placement of the sign. The NPDES permit may be accessed and downloaded from the following web link:

[http://www.epa.ohio.gov/portals/35/permits/SmallSanitaryNotBADCT\\_Final\\_GP\\_dec09.pdf](http://www.epa.ohio.gov/portals/35/permits/SmallSanitaryNotBADCT_Final_GP_dec09.pdf)

6. The final effluent being discharged appeared to be relatively clear, and did not appear to be causing any immediately-noticeable, adverse impacts to the receiving stream.

In addition to the inspection findings, a review of the facility's monthly electronic Discharge Monitoring Reports (eDMRs) received by Ohio EPA for the period April 2010 – May 2013 indicated that Nu Flux Engineered Materials has failed to submit a large portion of the required daily reporting data (color, odor, turbidity, flow) since the permit became effective on April 1, 2010. Color, odor, turbidity, and flow must be monitored on a daily basis. The daily values for these parameters must be reported on a monthly basis.

Ohio EPA has mailed out multiple notices in the past advising Nu Flux Engineered Materials of the need to submit the required monitoring data. Failure to submit reporting data as required by the NPDES permit is a violation of the terms and conditions of the NPDES permit.

To submit the required monitoring and sampling data, you must set up an eBusiness account on Ohio EPA's website. Please visit the following web link to set up your eBusiness account:

<https://ebiz.epa.ohio.gov/>

For specific questions regarding setting up your account or submitting reporting data, please contact James Roberts of Ohio EPA at (614) 644-2054.

Part IV, H of the facility's NPDES permit requires that the permittee designate an operator of record to oversee the technical operation and maintenance of the treatment works. The facility is classified as a Class A facility, and should therefore be operated and maintained by a person with a valid Class A wastewater license. This office has no documentation on file indicating that such an operator has been designated for the facility. Please complete the enclosed Operator of Record Notification (ORC) form to ensure that this requirement is met.

This office also noted that in the past, Mr. Scott Mascioli has made a number of eDMR data submittals on behalf of Nu Flux Engineered Materials. 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.*

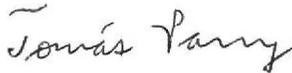
This office has no documentation on file (no ORC form) indicating that Mr. Mascioli has been officially designated as an operator of record for the facility. As such, and based on the requirements outlined in 40 CFR 122.22, Mr. Mascioli may not submit eDMR data on behalf of Nu Flux Engineered Materials.

Based on the inspection findings and the eDMR review, the facility is considered to be in **significant noncompliance** with the terms and conditions of the NPDES permit. Please note that failure to comply with the terms and conditions of the NPDES permit may be subject to enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code. Such actions can result in fines of up to \$10,000 per day of violation.

Please provide to this office, within 21 days' receipt of this letter, written documentation describing the actions that have been taken, or will be taken, to address the items described 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 II  
Division of Surface Water

TP/cs

cc: Steve Kramer, R.S., Trumbull County Board of Health

Attachments: Photographs

Enclosures: ORC form

