



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

July 22, 2013

RE: SUMMIT COUNTY  
COPLEY TOWNSHIP  
COPLEY TOWNE CENTRE  
2830 COPLEY ROAD  
CEI/NOTICE OF VIOLATION  
OHIO EPA PERMIT #3PR00381\*CD

**CERTIFIED MAIL**

Levendi Enterprises  
Mr. John Poleondakis  
2830 Copley Road  
Akron, OH 44321

Dear Mr. Poleondakis:

On July 10, 2013, a Compliance Evaluation Inspection (CEI) was conducted at the above referenced wastewater treatment plant. The existing wastewater treatment system consists of a discharging extended aeration tank with clarifier. During the recent inspection, the plant was running, and construction of the required upgrade had not commenced.

Upon reviewing our files, it was noted that you continue to be in non-compliance with your National Pollutant Discharge Elimination System (NPDES) permit's compliance schedule. According to your compliance schedule, an appropriately sized dosing chamber with elapsed time meters, surface sand filters, and chlorination/dechlorination tank were to be constructed by February 1, 2012. A Permit-to-Install (PTI) for the upgrade was issued by the Director of Ohio EPA on July 19, 2011. As your PTI indicates and this office has informed you before, the PTI is only valid for 18 months. Since construction of the upgrade hasn't begun, your PTI has expired.

Review of the electronic Discharge Monitoring Reports (eDMRs) submitted for your plant from January 2013 through June 2013 revealed the following effluent violations:

Reporting Period	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2013	Nitrogen, Ammonia (NH3)	30D Conc	3.0	5.3	3/1/2013
March 2013	Nitrogen, Ammonia (NH3)	7D Conc	4.5	5.3	3/1/2013
June 2013	E. coli	30D Conc	161	6500.	6/1/2013
June 2013	E. coli	7D Conc	362	6500.	6/1/2013

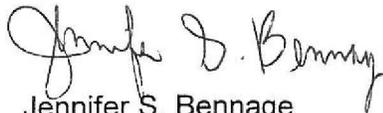
Please be advised that the above mentioned instances of noncompliance are subject to enforcement pursuant to Ohio Revised Code (ORC) 6111.

Please understand that you are legally bound by your NPDES permit to meet the dates in your permit's Compliance Schedule, thereby, making it possible for you to meet the tertiary effluent limitations in your permit. Since you remain in non-compliance with your NPDES compliance schedule and because you have allowed your upgrade PTI to expire, this office assumes that you have no intentions of coming into compliance.

Therefore, this office will promptly refer this situation to our legal department to initiate escalated enforcement actions. Typically, Director's Findings and Orders are drafted and sent to the entity. The Findings and Orders will include specified time frames for you to obtain a new PTI and complete construction of the upgrade. In addition, there is normally a monetary civil penalty.

As soon as possible, please notify this office in writing of your intentions to obtain compliance. If this office does not receive a written response from you within 14 days, your case will promptly be referred to our legal department. If you have any questions, contact this office at (330) 963-1151.

Sincerely,



Jennifer S. Bennage  
Environmental Engineer  
Division of Surface Water

JSB/cs

cc: Dean Stoll, Unit Supervisor, Ohio EPA, DSW, NEDO  
Mark Mann, Enforcement Supervisor, Ohio EPA, DSW, CO  
Matt Springer, Copley Twp. Zoning Dept.  
Pat Gsellman, City of Akron, Akron Engineering Bureau  
Helen Humphrys, President, Copley Township Board of Trustees

ec: Tom LaPlante, Summit County Health Dept

7012 3050 0001 8843 1382

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See Reverse for Instructions	

<b>SENDER: COMPLETE THIS SECTION</b>	<b>COMPLETE THIS SECTION ON DELIVERY</b>
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><i>X</i> </p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="background-color: #00FFFF; padding: 10px; margin: 10px 0;"> <p>Levendi Enterprises Mr. John Poleondakis 2830 Copley Road Akron, OH 44321</p> </div>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7012 3050 0001 8843 1382 <i>JSW</i></p>
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 7-22-13 102595-02-M-1540</p>

