



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

July 30, 2013

RE: GEAUGA COUNTY
MIDDLEFIELD TOWNSHIP
INDUSTRIAL STORM WATER
MIDDLEFIELD METAL RECYCLING
3GR01846*AG
NOTICE OF VIOLATION

Charlie Todaro, Owner
Middlefield Metal Recycling
13862 Old State Road
Middlefield, OH 44062

Dear Mr. Todaro:

On July 25, 2013, Ohio EPA conducted an inspection at the Middlefield Metal Recycling facility located at 13862 Old State Road. Our inspection's purpose was to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Industrial Activity #OH000005. The site's industrial activities are categorized by the Standard Industrial Classification (SIC) Code 5093: Fabricated Metal Products, Except Machinery & Transportation Equipment, and Coating, Engraving & Allied Services. This corresponds to Subsector N1 in Part 8 of the NPDES permit. During the inspection, Jane Todaro represented Middlefield Metal Recycling. I represented the Ohio EPA.

Storm Water Pollution Prevention Plan (SWPPP)

The facility currently has coverage under the Ohio EPA General NPDES Permit 3GR01846*AG. Our records show that the permit for your facility was issued January 1, 2013. Part 5 of the NPDES Permit requires one to create and implement a Storm Water Pollution Prevention Plan (SWPPP). During the inspection, your facilities' SWPPP was not reviewed. While the facility did not have a SWPPP present, it is important to make sure that all necessary parts that are listed in Part 5 of the NPDES Permit are included and followed throughout the site. Failure to do so will result in violations against the NPDES Permit.

Storm Water Outfalls

The Notice of Intent (NOI) submitted by Middlefield Metal Recycling to gain coverage indicated that there is only one outfall from this facility. However, our site inspection indicates that there are two outfalls from the facility. One was the storm drain and the other was the concentrated flow off of the south side of the entrance. All outfalls must be identified in the NOI. To correct this error, please either submit a revised NOI or letter to our Central Office acknowledging the additional outfall. For each outfall, identify the SIC and subsector codes associated with the outfall as well as the latitude and longitude. There are no federal effluent limitations for storm water discharges from this facility. The revised NOI or letter should be sent **within 14 days** of this letter to:

Jason Fyffe
Ohio EPA Division of Surface Water
P.O. Box 1049
Columbus, OH 43216-1049

The NOI can be found on our website at:

http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx.

Monitoring, Recordkeeping and Reporting

Ohio EPA reviewed recordkeeping associated with required site inspections and storm water monitoring. Our inspection revealed the following violations of the NPDES permit:

- **Failure to prepare a SWPPP before submitting the NOI and have it readily available on site.** This is a violation of Part 5 of the NPDES Permit. Prepare a SWPPP containing all the required information in Part 5 of the NPDES Permit. Be sure to have the SWPPP available on site at all times to comply with Part 5.3 of the NPDES Permit.
- **Failure to prepare and obtain a Site Description.** This is a violation of Part 5.1.2 of the NPDES Permit. This site description shall contain all of the following:
 - All existing structural control measures
 - All storm water conveyances including ditches, pipes, and swales
 - Potential pollutant sources
 - Where significant spills or leaks have occurred
 - All storm water monitoring points
 - Storm water inlets and outfalls, with a unique identification code for each outfall, indicating if you are treating one or more as “substantially identical”, and an approximate outline of the areas draining into each outfall
 - All non-storm water discharges including a description of each
 - Fueling stations, vehicle and equipment maintenance and/ or cleaning area, loading/ unloading area, areas used for treatment, storage, or disposal of water, liquid storage tanks, processing and storage areas, immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by- products used or created by the facility, transfer areas for substances in bulk, and machinery
 - Run-on to your site from adjacent property that contains significant quantities of pollutant including the sources
 - Municipal separate storm sewer systems, where your storm water discharges to them

- **Failure to conduct an annual Comprehensive Site Inspection and complete an Annual Report.** This is a violation of Part 4.3.1 and 7.2 of the NPDES permit and ORC 6111.04 and 6111.07. Middlefield Metal Recycling was unable to locate an Annual Report summarizing the findings of the comprehensive site inspection and corrective action taken for 2012 or any year prior (this was known as the Comprehensive Site Evaluation in previous generations of the general permit). Middlefield Metal Recycling is to utilize the Annual Report form located in Appendix I of the NPDES permit and keep a copy of the report with the SWPPP. The report is to be made available to Ohio EPA upon request. A Comprehensive Site Inspection and Annual Report must be completed by December 31, 2013, for the current reporting year.
- **Failure to conduct Routine Facility Inspections once per quarter and maintain records of findings.** This is a violation of Part 4.1 of the NPDES permit and Ohio Revised Code 6111.04 and 6111.07. Middlefield Metal Recycling was unable to produce inspection records to demonstrate compliance with this requirement
- **Failure to conduct Quarterly Visual Assessments of storm water discharges and maintain documentation of the results.** This is a violation of Part 4.2.1 and 4.2.2 of the NPDES permit and ORC 6111.04 and 6111.07. For facilities continuing general permit coverage from previous generations, quarterly visual assessments were to begin no later than the third quarter of 2012. Middlefield Metal Recycling has not conducted any quarterly visual assessments to date. A visual assessment must be conducted every quarter. A sample recordkeeping template is available on the Ohio EPA website at http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx.
- **Failure to conduct employee training at least once per year and maintain documentation such as training materials and attendance records.** This is a violation of Part 2.1.2.9 and 7.5 of the NPDES permit and ORC 6111.04 and 6111.07. Middlefield Metal Recycling was unable to produce training records to demonstrate employee training had been conducted. Training must be more frequent for businesses with high employee turnover. Please be aware of training tapes that can be obtained through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) by contacting Tamara Girard at (330) 963-1200. Presentations are available at www.epa.gov/npdes/training.
- **Failure to include in the SWPPP an evaluation of non-storm water discharges and a certification that all unauthorized discharges have been eliminated.** This is a violation of Part 5.1.3.4 of the NPDES permit and ORC 6111.04 and 6111.07. Please evaluate storm water outfalls during a period of dry weather and evaluate facility drainage systems to ensure that there are no unauthorized non-storm water discharges from the facility. Part 1.1.3 of the NPDES permit lists allowable non-storm water discharges. All other discharges must be authorized by an appropriate NPDES permit or eliminated. If not completed by the date of your response, please include a schedule by when this evaluation will be completed. Once completed, please submit (a) the non-storm water evaluation certification or (b) a list of unauthorized non-storm water discharges that remain and your plan for their elimination. The plan for elimination shall include the action to be taken and the date corrective action is expected to be completed.

In addition to these violations, Ohio EPA noted the following:

- The Comprehensive Site Evaluation had not yet been completed for reporting year January 1, 2013 to December 31, 2013. The Annual Report is to be completed using the form in Appendix I of NPDES Permit #OHR000005. Please submit a copy of the Annual Report for the reporting year January 1, 2013 to December 31, 2013, with your response to this Notice of Violation.
- There were no incidences of significant spills or leaks reported in the spill log. Our observation of the site indicates that there is significant potential for such incidences to occur and many oil stains were observed on the ground. Please note that any release of petroleum-based product of 25 gallons or more on the ground or a spill that results in a sheen on a water of the state is a reportable quantity and must be listed as a significant spill or leak.

Middlefield Metal Recycling has not conducted any benchmark monitoring to date. Please note that at least four benchmark samples must be taken before the end of Year 3 of the NPDES permit, i.e., December 31, 2014. Your facility is required to monitor for Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), Total Aluminum, Total Lead, Total Copper and Total Zinc. At least one benchmark sampling must be taken during each of the quarterly monitoring periods stipulated in Part 6.1.7 of the NPDES permit. For parameters that are hardness-dependent, please refer to Appendix J for how to determine the hardness value of the receiving stream. Results of benchmark monitoring must be reported to Ohio EPA within 30 days of receiving results from the lab. Results must be reported using Ohio EPA's e-DMR system. Information on setting up an account is available at www.epa.ohio.gov/dsw/edmr/eDMR.aspx

Site Inspection

- During the inspection, Jane and I identified a new outfall on the south side of the entrance. There was a decent amount of sediment build up around this outfall. Best Management Practices (BMPs) along with good housekeeping should be implemented to decrease and eliminate the amount of sediment leaving the site. **(See Fig 1)**
- Good housekeeping is needed at the storm drain outfall. Sediment build up along with trash was noted during the inspection. **(See Fig 4)**
- There was a stock pile of tires on the site. The tires should be stored in some sort of containment to prevent them from causing any sort of pollution. **(See Fig 2)**
- A stock pile of car parts was on the ground. To prevent any fluids or residuals from getting into the storm water, these should be kept in some sort of containment under a cover. **(See Fig 5)**
- Multiple oil stains and leaks were noticed throughout the lot. These need to be cleaned up immediately using proper spill response methods and BMPs. Good housekeeping needs to be implemented to prevent any future pollution. **(See Fig 3)**

MIDDLEFIELD METAL RECYCLING
JULY 30, 2013
PAGE – 5 –

Please provide me with a letter of response indicating the actions you will take to address the concerns and violations noted above. Please provide me with a letter of response no later than **August 9, 2013**.

If you should have any questions concerning this letter, feel free to contact me at (330) 963-1125 or by e-mail to julianna.murphy@epa.ohio.gov or Dan Bogoevski at (330) 963-1145 or dan.bogoevski@epa.ohio.gov.

Sincerely,



Julianna Murphy
Assistant to the District Engineer
Division of Surface Water

JM:ddw

cc: Jane Todaro, Middlefield Metal Recycling
ec: Dan Bogoevski, DSW, NEDO
Jason Fyffe, DSW, CO

MIDDLEFIELD METAL RECYCLING
Middlefield Township Geauga County

Photos Taken: July 25, 2013
By: Juliana Murphy, DSW, NEDO



Figure 1: (*top left*) Newly Identified Outfall on south end of entrance
Figure2: (*middle left*) Stock pile of tires
Figure 3: (*bottom left*) Stains on the ground under dumpster
Figure 4: (*top right*) Unkempt outfall (storm drain)
Figure 5: (*bottom right*) Stock pile of car parts