



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

Re: **Notice of Violation**
Auglaize County
Beverly Hills Subdivision
Forest Lane Subdivision
Sharlon Subdivision
Sherwood Forest Subdivision
NPDES Permits

August 9, 2013

Mr. Douglas P. Reinhart
Auglaize County Engineer
P.O. Box 59
Wapakoneta, Ohio 45895

Dear Mr. Reinhart:

We are in receipt of your self-monitoring reports covering the months of April through June 2013 for the above referenced facilities. Our review indicates violations of the conditions of the National Pollutant Discharge Elimination System (NPDES) permits listed above. The specific instances of non-compliance are enclosed on separate sheets. Further review of your self-monitoring reports for Beverly Hills Subdivision and Sharlon Subdivision for the previous six months, ending in June 2013, indicates that you are in significant non-compliance (SNC) with an effluent limitation contained in each NPDES permit. The specific instances of SNC are enclosed on separate sheets.

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

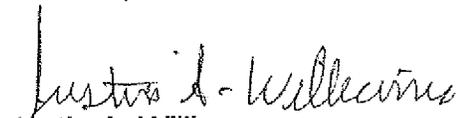
If we do not receive your timely response or if your response does not adequately address the violations attached to this letter, the Director of Ohio EPA will likely take an enforcement action against you to bring these facilities into compliance with Ohio law.

Mr. Douglas P. Reinhart
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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 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 in order to set up a meeting.

Sincerely,



Justin A. Williams
Environmental Specialist II
Division of Surface Water

/jlm

Enclosures

ec: NOV Tracking

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Violations for Beverly Hills Subdivision April-June 2013

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PG00073*GD	May 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	2.0	14.3	5/1/2013
2PG00073*GD	May 2013	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	3.0	14.3	5/8/2013
2PG00073*GD	May 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.15	.59538	5/1/2013
2PG00073*GD	May 2013	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	0.23	.59538	5/8/2013
2PG00073*GD	May 2013	001	31648	E. coli	30D Conc	126	2419.6	5/1/2013
2PG00073*GD	May 2013	001	31648	E. coli	7D Conc	284	2419.6	5/8/2013
2PG00073*GD	June 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	2.0	4.75	6/1/2013
2PG00073*GD	June 2013	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	3.0	4.75	6/22/2013

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Permit

Facilities in Significant Non-Compliance **

Period: Jan-13 Jun-13

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max % Exceed	# Months Signif Exceed (1)**	# Months Exceed (2)**
Auglaize	2PG00073	Beverly Hills Subdiv			1 00610	Nitrogen, Ammonia (NH3)	615	2	2

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.

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Violations for Forest Lane Subdivision April-June 2013

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PG00105*ED	June 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.5	4.81	6/1/2013
2PG00105*ED	June 2013	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	2.3	4.81	6/22/2013
2PG00105*ED	June 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.057	.07282	6/1/2013

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Violations for Gharlen Subdivision April - June 2013

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PG00093*GD	April 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	8.4	9.115	4/1/2013
2PG00093*GD	May 2013	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	2.1	3.3	5/1/2013
2PG00093*GD	May 2013	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	3.2	3.3	5/8/2013
2PG00093*GD	May 2013	001	31648	E. coli	30D Conc	126.0	2419.6	5/1/2013
2PG00093*GD	May 2013	001	31648	E. coli	7D Conc	284.0	2419.6	5/8/2013

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Permit

Facilities in Significant Non-Compliance **

Period: Jan-13 Jun-13

County	Permit #	Facility Name	Major	Station Code	Param Code	Parameter Name	Max % Exceed	# Months Signif Exceed (1)**	# Months Exceed (2)**
Auglaize	2PG00093	Sharlon Subdiv			1 00610	Nitrogen, Ammonia (NH3)	95.8	2	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.

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Violations for Sherwood Forest Subdivision April - June 2013

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
2PG00013*GD	May 2013	001	31648	E. coli	30D Conc	126	547.5	5/1/2013
2PG00013*GD	May 2013	001	31648	E. coli	7D Conc	284	547.5	5/8/2013