



John E. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nailly, Director

August 15, 2013

James R. Hoekstra, Managing Member
Marne Manor LLC
8984 Licking Valley Road
Frazeyburg, OH 43822

NOTICE OF VIOLATION

**Re: Marne Manor LLC
NPDES Permit 4PV00119/ OH0136123
Reconnaissance Inspection
Licking County**

Dear Mr. Hoekstra:

On July 31, 2013, a Reconnaissance Inspection was conducted at the Marne Manor LLC. I was the only person present for the inspection since the contract operator was unable to attend.

The purpose of the inspection was to evaluate compliance with the terms and conditions of your NPDES permit, the operation and maintenance of the plant, and the progress made complying with the Director's Expedited Settlement Agreement (ESA) and Orders. The following items were noted during the inspection:

- Signage has not been installed due to a combination of factors, including a criminal investigation near the location where the sign was to be installed and some questions as to the location of the outfall. The outfall appears to be located just downstream of the railroad culvert on the east side of the stream (there is a white PVC pipe jutting out from the bank, see attached photo). Plant engineering drawings seem to confirm this location. Dye testing or flushing of the discharge line would be ways to confirm the location of the outfall. Please notify local authorities and neighbors if you decide to use dye to confirm the location of the outfall. Signage must be installed by August 16, 2013.
- Now that the treatment plant is secured with a fence, the operator log book must be left in a location where it can be accessed for inspection purposes (OAC 3745-7-09). Both electrical boxes were locked as were 3 of the blower motor boxes and I was unable to locate the operator log in any other location.

In addition, Ohio EPA does not have a record of your penalty payment. A penalty payment of \$1000 was due no later than July 8, 2013. Unless you have already done so, please comply with Order #2 immediately. Order #2 states:

2. Within sixty (60) days from the date of the Director's letter inviting Respondent to sign this ESA, Respondent shall pay to the Ohio EPA the amount of one thousand dollars (\$ 1,000) in settlement of the Ohio EPA's claim for civil penalties, which may be assessed pursuant to Chapter 6111.09 of the Ohio Revised Code. Payment shall be made by tendering an official check made payable to "Treasurer, State of Ohio" to the following address: Ohio EPA, Office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049, together with a letter identifying Respondent and the location of the noncompliance detailed in the Findings of this ESA

A photocopy of the check shall be sent to Ohio EPA at the address listed below:

Ohio Environmental Protection Agency
Central District Office
50 West Town Street
P.O. Box 1049
Columbus, Ohio 43216
Attn: Division of Surface Water Enforcement Supervisor

Continued non-compliance with the ESA and NPDES permit will result in escalated enforcement action with a financial penalty. If you have any questions or comments concerning the enclosed inspection report, please contact me at (614) 728-3854 or e-mail at paul.vandermeer@epa.state.oh.us.

Sincerely,



Paul L. Vandermeer
Environmental Specialist II
Compliance and Enforcement Unit
Division of Surface Water
Central District Office

ec: Paul L. Vandermeer
Ashley Ward, OEPA, DSW, CO
Tammi Gall (camogirl1522@gmail.com)

NPDES Compliance Inspection Report

SECTION A: NATIONAL DATA SYSTEM CODING

Permit #	NPDES #	Inspection Type	Inspector	Facility Type
4PV00119	OH0136123	RI	S	1
Inspection Date	Entry Time	Exit Time	Notice of Violation	Significant Non-Compliance
7/31/2013	9:20 am	9:40 am	Yes	No

SECTION B: FACILITY DATA

Name and Location of Facility Inspected	Permit Effective Date
Marne Manor LLC 12483 Marne Road, NE Newark, OH	11/1/2010
	Permit Expiration Date
	10/31/2015
Name(s) and Title(s) of On-Site Representatives	Phone Numbers
Contract operator not present	
Name and Title of Responsible Official	Phone Number
Hoekstra, James R., Managing member	(740) 366-6375

SECTION C: AREAS EVALUATED DURING INSPECTION

Key: S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated

M	NPDES Compliance	Sporadic permit limit violations (OAC 3745-33-07).
S	Operations & Maintenance	Sand filters clean, plant functional
S	Facility Site Review	Fencing in place as per settlement
N	Collection System	
N	Flow Measurement	
S	Receiving Waters	Signage not installed, extenuating circumstances, see cover letter, OAC 3745-33-08(A)(12)(a)
N	Laboratory	

Comments:

Signatures

	8/5/13		8/5/13
Paul L. Vandermeer, Inspector Compliance & Enforcement Division of Surface Water Central District Office	Date	Erin Sherer, Reviewer Compliance & Enforcement Supervisor Division of Surface Water Central District Office	Date

Compliance Data for Marne Manor LLC between 7/1/2012 to 7/1/2013

Summary

Permit Effluent Limit Violations: 6
 Permit Effluent Code Violations: 0
 Permit Effluent Frequency Violations: 0
 Compliance Schedule Milestones Not Entered: 0

Limit Violations						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
August 2012	001	E. coli	7D Conc	284	288.	8/1/2012
August 2012	001	CBOD 5 day	7D Conc	15	30.	8/1/2012
August 2012	001	CBOD 5 day	30D Conc	10	15.	8/1/2012
December 2012	001	CBOD 5 day	7D Conc	15	75.	12/1/2012
December 2012	001	CBOD 5 day	30D Conc	10	38.5	12/1/2012
June 2013	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.0425	6/1/2013

Flow Data for Marne Manor LLC between 7/1/2012 and 7/1/2013

	Date	Flows (GPD)
Ten Highest Flows	2/1/2013	2817
	1/1/2013	2439
	8/1/2012	2397
	6/1/2013	2348
	3/1/2013	2300
	5/1/2013	2264
	11/1/2012	2191
	9/1/2012	2124
	4/1/2013	2007
	10/1/2012	1913
Average Flow Rate		2199