



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

September 12, 2013

RE: MELZER'S GENEVA BULK PLANT  
OHIO EPA PERMIT 3IN00292, 3GB00010  
GENEVA TOWNSHIP, ASHTABULA CO.  
COMPLIANCE INSPECTION EVALUATION

Mr. Andy Melzner  
Melzerland of Geneva, LLC  
dba Melzer's Fuel Service  
755 East Erie Street  
Painesville, OH 44077

Dear Mr. Melzer:

On September 11, 2013, a site inspection was conducted at the above referenced facility at 2868 Padanarum Road, Geneva Township, Ashtabula County. The inspection was conducted by John Schmidt of this office. You and Janet Powell represented Melzerland of Geneva, LLC (MG) and Melzer's Fuel Service, Inc. (MFS) during the inspection. The site is owned by MG and operated by MFS. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the facility's National Pollutant Discharge Elimination System (NPDES) permit. The last compliance inspection was conducted on September 13, 2012.

The system consists of drains to collect potential fuel spills from fuel loading pads, an 8,000 gallon oil/water separator and skimmer via an under-drain system within the pad, and cavity water sump and product recovery tank. The site also has a separate storm sewer collection system consisting of parking lot drains and associated piping. The facility discharges to an unnamed tributary of Wheeler Creek east of the facility. No backup power is provided to the facility, and the facility is provided with audio and visual alarms. The facility is currently open on Mondays, Wednesdays, and Fridays.

During the inspection, the following items were noted and discussed:

1. You have applied for and received coverage under Ohio EPA General Permit No. 51GB0002, and have been assigned facility I.D. 3GB00010\*AG under this permit, effective September 1, 2013. Ohio EPA will be retiring expired NPDES Permit 3IN000292. You will be receiving separate notification from Columbus terminating NPDES Permit 3IN000292.
2. No change was noted in the operation of the facility over the September 13, 2012 inspection.
3. The bulk plant receives petroleum product by large tanker trucks. The product is then off loaded and stored in one of five above ground storage tanks (four 17,000 gallon tanks and one 30,000 gallon tank).

4. Petroleum product is delivered to the facility via large tanker trucks and off-loaded into the tank farm at the loading/unloading rack area.
5. MFS loads smaller tanker trucks and delivers the product to their customers.
6. The loading/unloading rack area consists of a cement pad with a canopy top. The cement is graded so that any product spill or storm water that hits the pad will be routed to an 8,000 gallon oil/water separator and skimmer via an under drain system within the pad. All captured product is transferred to a product recovery tank. Portable bowls are used directly under connections to minimize any leakage of spillage at the hose connection points.
7. The large above ground tanks have an earthen dike around them. The dike was found to be partially filled with clear storm water. All dike water is routed through the same 8,000 gallon oil/water separator and skimmer. Following the oil/water separator and skimmer, the dike water along with any water or released product from the loading/unloading rack pad is then routed to a storm water retention pond.
8. Smaller above-ground storage tanks, each about 500 gallons in capacity, are located to the east of the building and are dispensing units. The tanks have secondary containment with no piping.
9. Storm water from the scale area is pumped inside the dike area and routed through the oil/water separator and skimmer. Following treatment, the storm water is routed to the storm water retention pond. The oil/water separator was functional at the time of the inspection.
10. The evaporation pond is lined and has a cap on the discharge line, which must be opened in order for any discharge to occur. The cap was observed in place and no discharge was occurring at the time of the inspection. A slight sheen was observed in the pond. The contents of the pond should be recycled through the oil/water separator and skimmer and once no sheen is visible on the pond, the pond should be emptied.
11. The oil holding tank at the oil/water separator was noted as full. This should be pumped and removed for proper recycling and/or disposal.
12. A log book of inspections, repairs and observations is maintained at the facility. The storm water treatment system is operated by MFS staff. MFS personnel perform routine operations at the wastewater treatment system, monitor the facility, and perform the pH sampling. Geauga County Department of Water Resources (GCDWR) submits the electronic discharge monitoring report (eDMR) through Ohio EPA's Web-based application on behalf of MG/MFS. Quarterly and annual analytical work is sent to GCDWR since being acquired by MFS.
13. Documents inspected during the site visit include the facility include the spill prevention, control, and countermeasure plan (SPCC). A copy of the storm water

pollution prevention plan (SWPPP) could not be located onsite, and a copy of the SWPPP was apparently not provided by BP to MFS when the NPDES permit was transferred. Andy Melzer was not able to obtain a copy of the SWPPP. MFS has contracted with Hess and Associates Engineering (Hess) to write a new SWPPP document. Ohio EPA could also not locate a copy of the annual certification that operations are in compliance with the plan, or documentation of annual training for key employees tasked with implementing the plan.

#### **NPDES Permit Compliance Review**

A review of the electronic discharge self-monitoring reports (eDMRs) received by Ohio EPA for the period August 1, 2012 through August 1, 2013 indicates the following apparent noncompliance of the terms and conditions of your NPDES permit:

#### **Limit, Reporting, and Compliance Schedule Violations**

An examination of the reporting records indicates that no discharges have been reported for the monitoring period reviewed; therefore, there are no apparent limit violations or reporting violations. During the inspection, Ohio EPA noted that the pond was nearly overtopping and clarified that a discharge is any flow that is discharged through the capped pond outlet must be monitored and reported through the eDMR system. Any overflow from the areas designated to intercept storm water (i.e. truck loading/unloading areas) or any overflow from the pond itself is considered an unauthorized discharge. If any discharges occurred, then they must be reported to Ohio EPA through the eDMR system.

Other NPDES Permit Violations - SWPPP(s): A copy of your SWPPP was not available for inspection, and has not been updated since transfer facility ownership from BP to MG. These documents should be reviewed at least annually or whenever there is a change in key personnel or ownership and revised accordingly as prescribed by Part IV of your NPDES permit. The plan is currently undergoing revision by Hess, and a new SWPPP document is expected within the next 30 days. The SWPPP documents must also reflect specific contacts and telephone numbers, annual inspections, and annual certification of the plan. As soon as the plan is received a certification must be conducted, as well as training of key personnel implementing the plan. Please provide documentation of these activities to Ohio EPA as soon as they are completed.

***Please inform this office, in writing, within 30 days of the date of this letter as to the actions we discussed that have been or will be taken to correct the above noncompliance or explanations if you believe the noncompliance issues noted are in error. Please provide this office with a copy of the SWPPP document, as well as documentation of the certification, inspection, and training on the plan. Your response to this letter should include the dates that the actions have been or will be completed. Please be advised that past or present issues of noncompliance can continue as subjects of future enforcement actions by Ohio EPA.***

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If you have any questions or comments regarding this inspection, please feel free to contact me at (330) 963-1175.

Respectively,

A handwritten signature in blue ink, appearing to read "John M. Schmidt".

John M. Schmidt P.E., R.S.  
Environmental Engineer  
Division of Surface Water

JMS/cs

ec: Andy Melzer  
George Hess, Hess & Associates Engineering

File/ Industrial/Melzer's Geneva Bulk Plant/pc