

OHIO E.P.A.  
NOV 30 2005

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

ENTERED DIRECTOR'S JOURNAL

**In the Matter of:**

**Heritage Management Group, Inc.  
1400 Fourth and Race Street  
Cincinnati, Ohio 45202**

**Respondent**

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**Director's Final Findings  
and Orders**

**PREAMBLE**

It is agreed by the parties hereto as follows:

**I. JURISDICTION**

These Director's Final Findings and Orders ("Orders") are issued to Heritage Management Group, Inc. ("Respondent"), pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 6111.03 and 3745.01.

**II. PARTIES BOUND**

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent or the sites (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC § 6111 and the rules promulgated thereunder.

**IV. FINDINGS**

The Director of Ohio EPA has determined the following findings:

1. Respondent owns and operates the Westbrook Village Mobile Home Park, a facility consisting of 250 mobile homes and one management office, and its associated wastewater treatment plant (WWTP), located at 5747 State Route 128, Cleves, Ohio in Hamilton County ("the Westbrook site").

2. The Westbrook site discharges "sewage" and/or "other wastes", as those terms are defined in ORC § 6111.01. The Great Miami River constitutes "waters of the state" as defined by ORC § 6111.01.
3. Respondent holds a valid, unexpired National Pollutant Discharge Elimination System (NPDES) permit, number 1PV00023\*DD (effective July 1, 2000), for the discharges from the Westbrook site WWTP into the Great Miami River via the WWTP outfall (station no. 1PV00023001). NPDES Permit 1PV00023\*ED was renewed by the Ohio EPA with an effective date of August 1, 2005.
4. Pursuant to ORC § 6111.04(C), no person to whom a permit has been issued shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit.
5. Respondent violated the final effluent limits of its current NPDES Permit No. 1PV00023\*ED and expired NPDES Permit 1PV00023\*DD for the Westbrook site on numerous occasions as cited in Attachment I. Each violation cited in Attachment I constitutes a separate violation of ORC §§ 6111.04 and 6111.07. Attachment I is hereby incorporated into these Findings & Orders as stated herein.
6. Respondent has had numerous unauthorized bypasses from the Westbrook site WWTP's surface sand filters, which have been documented by Ohio EPA to have occurred on July 18, 2001, January 9, 2002, January 31, 2002, February 4, 2002, June 10, 2003, October 29, 2003, and February 3, 2004, which are all violations of Part III(A)(11) of its NPDES permit.
7. On February 25, 2002, Ohio EPA received a complaint that the Westbrook sanitary sewage collection system was overflowing. Staff from the Hamilton County General Health District ("HCGHD") investigated the complaint and documented that sewage was overflowing from Respondent's sanitary sewage collection system and flowing into a resident's yard; underneath a resident's mobile home, and ultimately into a street.
8. Respondent failed to notify Ohio EPA of the Westbrook WWTP unauthorized bypasses and/or discharges listed in Findings 6 and 7 in accordance with Part III(12)(A) of the NPDES permit.
9. Respondent violated the Schedule of Compliance milestone outlined in its Westbrook WWTP NPDES permit No. 1PV00023\*DD (Part I,C) regarding the requirement to submit a general plan for disinfection facilities and to meet final effluent limits no later than 36 months from the effective date of the NPDES permit. Respondent completed the necessary WWTP upgrades to meet final effluent limits

- for the disinfection facilities in August, 2003, but has failed to meet final effluent limits within the Westbrook NPDES permit.
10. Respondent was required to submit two (2) copies of the 2002 annual sludge disposal and/or reuse activities report by January 31, 2003 to Ohio EPA, in accordance with Part II(L) of the Westbrook NPDES permit. Ohio EPA has not received copies of the 2002 annual sludge disposal and/or reuse activities report.
  11. Respondent owns and operates the Maple Leaf Mobile Home Park, a facility consisting of 54 mobile homes and one management office, and its associated WWTP, located at 10191 Harrison Avenue, in Harrison Township, Hamilton County, Ohio ("the Maple Leaf site" or "Maple Leaf WWTP").
  12. The Maple Leaf WWTP discharges pollutants to an infiltration lagoon, which then discharges to groundwater. Groundwater constitutes "waters of the state" as defined by ORC § 6111.01.
  13. The Maple Leaf WWTP infiltration lagoon is a "disposal system," as such term is defined in ORC § 6111.01(G).
  14. ORC § 6111.04(A) provides that no person shall cause pollution or place or cause to be placed any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state unless the person holds a valid, unexpired permit, a renewal of a permit, or if the person's application for renewal of such a permit is pending.
  15. Respondent does not hold a permit authorizing the discharge to waters of the state in violation of ORC § 6111.04.
  16. The HCGHD inspected the Maple Leaf mobile home park on March 9, 2000 which noted that the Maple Leaf WWTP infiltration pond was filled with black, foul-smelling sludge. HCGHD also noted screenings on the ground near the WWTP outfall. The HCGHD conducted follow up inspections on March 29, 2000 and April 27, 2000, where it noted that the Maple Leaf WWTP was either inoperable or in poor condition. Samples taken from the WWTP on March 29, 2000 revealed a fecal coliform level of 1,600,000 (#/100ml) and total suspended solids of 40 mg/l.
  17. HCGHD conducted another inspection on January 25, 2001. Again, the Maple Leaf WWTP was found to be operating deficiently. Samples taken showed fecal coliform at 19,000 (#/100ml) and total suspended solids of 52 mg/l.
  18. At the request of HCGHD, Ohio EPA conducted an inspection of the facility on

- October 25, 2001 and noted that operation and maintenance of the Maple Leaf WWTP appeared to be marginal, and that Respondent needed to eliminate unauthorized discharges by abandoning the WWTP and connecting to the City of Harrison's sewage collection system. An inspection conducted on September 17, 2002, by Ohio EPA noted that the Maple Leaf WWTP had not been abandoned and was still discharging without authorization.
19. Ohio Administrative Code Rule 3745-33-08(C) requires that notwithstanding the issuance or non-issuance of an NPDES permit to a semi-public disposal system, whenever the sewerage system of a publically owned treatment works becomes available and accessible, the permittee operating any semi-public disposal system shall abandon the semi-public disposal system and connect it into the publically owned treatment works.
  20. During the October 25, 2001 inspection of the Maple Leaf WWTP, Ohio EPA staff documented that the site was located approximately 200 to 300 feet away from an existing sanitary sewer line owned by the City of Harrison.
  21. Respondent was notified by Ohio EPA via certified mail with letters dated October 31, 2001, January 2, 2002, August 2, 2002, and September 30, 2002 that, in accordance with Ohio Administrative Code Rule 3745-33-08(C), the existing sanitary sewer owned by the City of Harrison was considered accessible to the Maple Leaf site and that the WWTP must be abandoned to eliminate the unauthorized discharge to waters of the state.
  22. Respondent's consultant notified Ohio EPA during a August 14, 2003 conversation that Respondent had granted approval to proceed with the sanitary sewer extension connection at the Maple Leaf site and that a Permit-to-Install (PTI) application would be submitted within thirty to forty-five days. On October 2, 2003, Respondent's consultant notified Ohio EPA that a PTI application for the sanitary sewer extension connection would be submitted within thirty to forty-five days.
  23. In February, 2004, a Joint Economic Development District finalized an agreement by Harrison Township and the City of Harrison in an effort to revise the Section 208 plan for the area whereby commercial facilities and residential properties located within Harrison Township and outside of the incorporated area of the City of Harrison would be provided City of Harrison sewer rights. Commercial facilities would not be subjected to annexation by the City of Harrison, but would split income tax between Harrison Township and the City of Harrison. Residential properties would still be subjected to annexation by the City of Harrison.

24. As of the effective date of these Orders, Ohio EPA has not received a PTI application from Respondent for the sanitary sewer extension required to eliminate the Maple Leaf site's unauthorized discharge to waters of the state.
25. Pursuant to ORC § 6111.07(A), no person shall violate or fail to perform any duty imposed by ORC §§ 6111.01 to 6111.08 or violate any order, rule, or term or condition of a permit issued or adopted by the Director of Ohio EPA pursuant to those sections, including OAC Rule 3745-33-08(C). Each day of violation constitutes a separate offense.
26. The Ohio EPA has sent the Respondent multiple Notice of Violations (NOVs) in an effort to address the compliance issues at the both the Westbrook and Maple Leaf WWTPs.
27. The following Orders do not constitute authorization or approval of the construction of any physical structure or facilities, or the modification of any existing treatment works or sewer system. Any such construction or modification is subject to the PTI requirements of ORC §§ 6111.44 and 6111.45 and OAC Rule 3745-42-02.
28. Compliance with ORC § 6111 is not contingent upon the availability or receipt of financial assistance.
29. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Orders and to evidence relating to conditions calculated to result from compliance with these Orders, and its relation to the benefits to the people of the State to be derived from such compliance in accomplishing the purpose of ORC § 6111.

## **V. ORDERS**

1. Respondent shall do the following as expeditiously as practicable, but not later than the milestone dates of the following compliance schedule for the Westbrook Village Mobile Home Park:
  - a. Within sixty (60) days of the effective date of these Orders, Respondent shall submit to Ohio EPA, a complete and approvable PTI for the installation of a Composite Sampler and Flow Meter to the Westbrook Mobile Home Park sewer treatment plant. Upon approval from Ohio EPA, Respondent shall install the Composite Sampler and Flow Meter within sixty (60) days.

- b. Within sixty (60) days of the effective date of these Orders, Respondent shall submit two (2) copies of the Westbrook WWTP's 2002 annual sludge disposal and/or reuse activities report to Ohio EPA. These copies shall be submitted to Ohio EPA Central Office and Southwest District Office as required by Respondent's NPDES permit.
    - c. Respondent shall maintain full compliance with all aspects of its NPDES permit for the Westbrook Village Mobile Home Park WWTP.
2. Respondent shall do the following as expeditiously as practicable, but not later than the milestone dates of the following compliance schedule for the Maple Leaf Mobile Home Park:
  - a. Within sixty (60) days of the effective date of these Orders, Respondent shall submit to Ohio EPA, a complete and approvable PTI for the construction of the sanitary sewer extension to connect the site to the existing sanitary sewer line owned by the City of Harrison.
  - b. Within 120 days of the effective date of these Orders, Respondent shall initiate construction of the sanitary sewer extension in accordance with its approved PTI.
  - c. Within 360 days of the effective date of these Orders, the Respondent shall complete the sanitary sewer extension installation in accordance with its approved PTI and shall eliminate the unauthorized discharges from the WWTP to waters of the state and achieve compliance with Ohio's water pollution control laws.
3. Within thirty (30) days of each deadline in Order 1 and Order 5, Respondent shall submit written notification and documentation of compliance with said Orders to Ohio EPA Southwest District Office.
4. Within thirty (30) days of receipt of notification from Ohio EPA, Respondent shall provide Ohio EPA with a response addressing any comments or deficiencies and/or submit any additional information requested with regard to any of the submittals required by Order 1 and Order 5.
5. Respondent shall pay to Ohio EPA twenty five thousand dollars (\$25,000.00) in settlement of Ohio EPA's claims for civil penalties, which may be assessed pursuant to Chapter 6111 of the Ohio Revised Code. This payment shall be made by tendering a check payable to the "**Treasurer, State of Ohio**" for the amount of \$2,083.00 within thirty (30) days after the effective date of these Orders, and in eleven (11) monthly installments thereafter in the amount of

\$2083.00, until the full \$25,000 has been paid. The checks shall be sent to the following address:

Office of Fiscal Administration  
Ohio Environmental Protection Agency  
P.O. Box 1049  
Columbus, Ohio 43216-1049

A photo copy of each check shall be sent to Ohio EPA's Southwest District Office at:

Ohio Environmental Protection Agency  
Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402

#### **VI. TERMINATION**

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division of Surface Water acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of the Respondent. For purposes of these Orders, a responsible official is defined in OAC Rule 3745-33-03(D)(1).

#### **VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to activities occurring on or at the Facility.

### **VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

### **IX. MODIFICATIONS**

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

### **X. RESERVATION OF RIGHTS**

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XI of these Orders.

### **XI. WAIVER**

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

### **XII. EFFECTIVE DATE**

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

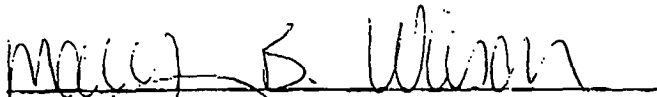


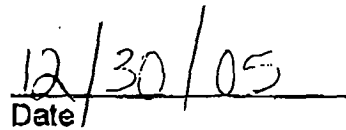
**XIII. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

**IT IS SO AGREED:**

Heritage Management Group, Inc.

  
By

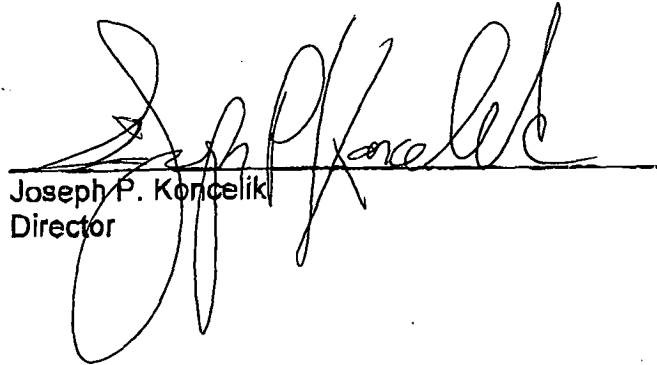
  
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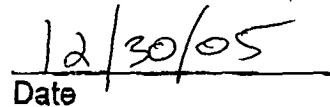
Mary E. Wilson  
Print Name

CEO President  
Title

**IT IS SO ORDERED AND AGREED:**

Ohio Environmental Protection Agency

  
Joseph P. Koncelik  
Director

  
Date

## Attachment I

### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
June 1999	fecal coliform	weekly	2000#/100ml	16000#/100ml
July 1999	fecal coliform	weekly	2000#/100ml	10000#/100ml
August 1999	chlorine	daily	0.5 mg/l (max.)	0.9 mg/l
September 1999	chlorine	daily	0.5 mg/l (max.)	2.5 mg/l
October 1999	chlorine	daily	0.5 mg/l (max.)	0.9 mg/l
October 1999	chlorine	daily	0.5 mg/l (max.)	0.7 mg/l
March 2000	ammonia	monthly	2 mg/l	4.6 mg/l
March 2000	ammonia	monthly	0.76 kg/day	1.1 kg/day
March 2000	ammonia	weekly	3 mg/l	7.3 mg/l
March 2000	ammonia	weekly	1.14 kg/day	1.88 kg/day
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	3.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	2.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	2.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	2.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	2.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	4.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	4.0 mg/l
April 2000	dissolved oxygen	daily	5.0 mg/l (min.)	4.0 mg/l
May 2000	fecal coliform	weekly	2000#/100ml	4000#/100ml
May 2000	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2000	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2000	dissolved oxygen	daily	5.0 mg/l (min.)	4.0 mg/l
May 2000	dissolved oxygen	daily	5.0 mg/l (min.)	6.0 mg/l
June 2000	chlorine	daily	0.5 mg/l (max.)	0.61 mg/l
July 2000	chlorine	daily	0.5 mg/l (max.)	1.6 mg/l
July 2000	chlorine	daily	0.5 mg/l (max.)	0.8 mg/l
July 2000	chlorine	daily	0.5 mg/l (max.)	0.55 mg/l
July 2000	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
July 2000	chlorine	daily	0.5 mg/l (max.)	1.02 mg/l
August 2000	chlorine	daily	0.5 mg/l (max.)	1.02 mg/l
August 2000	chlorine	daily	0.5 mg/l (max.)	0.8 mg/l
September 2000	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
September 2000	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
September 2000	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
April 2001	ammonia	monthly	2 mg/l	3.3 mg/l
April 2001	ammonia	monthly	0.76 kg/day	1.33 kg/day
April 2001	ammonia	weekly	3 mg/l	6.6 mg/l

## Attachment I

### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
April 2001	ammonia	weekly	1.14 kg/day	2.67 kg/day
April 2001	CBOD5	weekly	15 mg/l	17.75 mg/l
April 2001	CBOD5	weekly	5.67 kg/day	7.29 kg/day
May 2001	ammonia	monthly	2 mg/l	3.0 mg/l
May 2001	ammonia	monthly	0.76 kg/day	1.1 kg/day
May 2001	ammonia	weekly	3 mg/l	3.4 mg/l
May 2001	ammonia	weekly	1.14 kg/day	1.15 kg/day
May 2001	TSS	monthly	12 mg/l	25 mg/l
May 2001	TSS	monthly	4.54 kg/day	8.42 kg/day
May 2001	TSS	weekly	18 mg/l	28 mg/l
May 2001	TSS	weekly	18 mg/l	31 mg/l
May 2001	TSS	weekly	18 mg/l	32 mg/l
May 2001	TSS	weekly	6.81 kg/day	11.56 kg/day
May 2001	TSS	weekly	6.81 kg/day	11.44 kg/day
May 2001	TSS	weekly	6.81 kg/day	10.73 kg/day
May 2001	fecal coliform	weekly	2000#/100ml	4000#/100ml
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
June 2001	ammonia	monthly	2 mg/l	6.14 mg/l
June 2001	ammonia	monthly	0.76 kg/day	3.36 kg/day
June 2001	ammonia	weekly	3 mg/l	9.5 mg/l
June 2001	ammonia	weekly	1.14 kg/day	5.01 kg/day
June 2001	ammonia	weekly	1.14 kg/day	1.71 kg/day
June 2001	TSS	monthly	12 mg/l	13.7 mg/l
June 2001	TSS	monthly	4.54 kg/day	6.48 kg/day
June 2001	TSS	weekly	18 mg/l	21 mg/l
June 2001	TSS	weekly	6.81 kg/day	8.34 kg/day
June 2001	CBOD5	monthly	3.78 kg/day	4.58 kg/day

## Attachment I

### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
June 2001	CBOD5	weekly	5.67 kg/day	6.31 kg/day
June 2001	fecal coliform	weekly	2000#/100ml	2800#/100ml
June 2001	fecal coliform	weekly	2000#/100ml	98000#/100ml
June 2001	dissolved oxygen	daily	5.0 mg/l (min.)	3.8 mg/l
June 2001	dissolved oxygen	daily	5.0 mg/l (min.)	1.3 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	3.4 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	2.7 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	2.7 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	2.0 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	1.8 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	0.9 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	0.9 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	0.8 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	0.7 mg/l
June 2001	chlorine	daily	0.5 mg/l (max.)	0.7 mg/l
July 2001	ammonia	monthly	2 mg/l	12 mg/l
July 2001	ammonia	monthly	0.76 kg/day	4.1 kg/day
July 2001	ammonia	weekly	3 mg/l	9 mg/l
July 2001	ammonia	weekly	3 mg/l	17 mg/l
July 2001	ammonia	weekly	3 mg/l	16 mg/l
July 2001	ammonia	weekly	3 mg/l	6 mg/l
July 2001	ammonia	weekly	1.14 kg/day	1.77 kg/day
July 2001	ammonia	weekly	1.14 kg/day	5.15 kg/day
July 2001	ammonia	weekly	1.14 kg/day	8.32 kg/day
July 2001	ammonia	weekly	1.14 kg/day	1.39 kg/day
July 2001	fecal coliform	weekly	2000#/100ml	10000#/100ml
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
July 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	ammonia	monthly	0.76 kg/day	1.4 kg/day
August 2001	ammonia	weekly	1.14 kg/day	1.72 kg/day

## Attachment I

### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
August 2001	CBOD5	monthly	3.78 kg/day	6.0 kg/day
August 2001	CBOD5	weekly	5.67 kg/day	15.9 kg/day
August 2001	TSS	weekly	6.81 kg/day	7.91 kg/day
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.9 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.7 mg/l
August 2001	dissolved oxygen	daily	5.0 mg/l (min.)	2.8 mg/l
August 2001	chlorine	daily	0.5 mg/l (max.)	1.3 mg/l
August 2001	chlorine	daily	0.5 mg/l (max.)	0.73 mg/l
August 2001	chlorine	daily	0.5 mg/l (max.)	1.2 mg/l
September 2001	dissolved oxygen	daily	5.0 mg/l (min.)	3.8 mg/l
September 2001	chlorine	daily	0.5 mg/l (max.)	0.8 mg/l
September 2001	chlorine	daily	0.5 mg/l (max.)	0.9 mg/l
September 2001	chlorine	daily	0.5 mg/l (max.)	1.0 mg/l
September 2001	chlorine	daily	0.5 mg/l (max.)	1.0 mg/l
September 2001	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
October 2001	dissolved oxygen	daily	5.0 mg/l (min.)	3.9 mg/l
November 2001	dissolved oxygen	daily	5.0 mg/l (min.)	4.0 mg/l
April 2002	TSS	weekly	6.81 kg/day	7.92 kg/day
May 2002	dissolved oxygen	daily	5.0 mg/l (min.)	4.9 mg/l
May 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
May 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
June 2002	ammonia	monthly	2 mg/l	2.9 mg/l
June 2002	ammonia	monthly	0.76 kg/day	0.93 kg/day

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### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
June 2002	ammonia	weekly	3 mg/l	4 mg/l
June 2002	ammonia	weekly	1.14 kg/day	1.15 kg/day
June 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
June 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
June 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
July 2002	TSS	weekly	18 mg/l	26 mg/l
July 2002	CBOD5	weekly	15 mg/l	21 mg/l
July 2002	fecal coliform	weekly	2000#/100ml	20,000#/100ml
July 2002	ammonia	monthly	2 mg/l	8.5 mg/l
July 2002	ammonia	monthly	0.76 kg/day	2.2 kg/day
July 2002	ammonia	weekly	3 mg/l	17 mg/l
July 2002	ammonia	weekly	1.14 kg/day	4.34 kg/day
July 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
July 2002	chlorine	daily	0.5 mg/l (max.)	0.6 mg/l
August 2002	chlorine	daily	0.5 mg/l (max.)	0.88 mg/l
October 2002	chlorine	daily	0.5 mg/l (max.)	0.55 mg/l
March 2003	ammonia	weekly	3 mg/l	7.7 mg/l
May 2003	ammonia	monthly	2.0 mg/l	3.5 mg/l
May 2003	ammonia	weekly	3.0 mg/l	3.5 mg/l
May 2003	ammonia	weekly	3.0 mg/l	5.3 mg/l
May 2003	ammonia	weekly	3.0 mg/l	5.0 mg/l
May 2003	chlorine	daily	0.5 mg/l (max.)	0.7 mg/l
June 2003	ammonia	weekly	3.0 mg/l	4.4 mg/l
June 2003	chlorine	daily	0.5 mg/l (max.)	0.7 mg/l
June 2003	chlorine	daily	0.5 mg/l (max.)	0.7 mg/l
July 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
July 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
July 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
July 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
July 2003	chlorine	daily	0.038 mg/l (max.)	2.2 mg/l
August 2003	ammonia	weekly	3.0 mg/l	4.1 mg/l
August 2003	fecal coliform	weekly	2000#/100ml	5100#/100ml
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l

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### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
August 2003	chlorine	daily	0.038 mg/l (max.)	1.8 mg/l
August 2003	chlorine	daily	0.038 mg/l (max.)	1.78 mg/l
August 2003	chlorine	daily	0.038 mg/l (max.)	1.65 mg/l
August 2003	chlorine	daily	0.038 mg/l (max.)	1.8 mg/l
September 2003	ammonia	monthly	2.0 mg/l	2.5 mg/l
September 2003	ammonia	monthly	0.76 kg/day	1.7 kg/day
September 2003	ammonia	weekly	3.0 mg/l	3.7 mg/l
September 2003	ammonia	weekly	3.0 mg/l	4.0 mg/l
September 2003	ammonia	weekly	1.14 kg/day	1.49 kg/day
September 2003	ammonia	weekly	1.14 kg/day	1.98 kg/day
September 2003	fecal coliform	weekly	2000#/100ml	10000#/100ml
September 2003	fecal coliform	weekly	2000#/100ml	10000#/100ml
September 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
September 2003	DO	daily	5.0 mg/l (min.)	2.0 mg/l
September 2003	pH	daily	6.5 S.U. (min.)	6.2 S.U.
September 2003	pH	daily	6.5 S.U. (min.)	6.2 S.U.
October 2003	ammonia	monthly	2.0 mg/l	2.4 mg/l
October 2003	ammonia	monthly	0.76 kg/day	0.84 kg/day
October 2003	ammonia	weekly	3.0 mg/l	7.5 mg/l

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### Westbrook Village MHP

#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
October 2003	ammonia	weekly	1.14 kg/day	2.82 kg/day
October 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
October 2003	DO	daily	5.0 mg/l (min.)	3.0 mg/l
October 2003	DO	daily	5.0 mg/l (min.)	4.0 mg/l
November 2003	ammonia	monthly	2.0 mg/l	3.7 mg/l
November 2003	ammonia	monthly	0.76 kg/day	1.24 kg/day
November 2003	ammonia	weekly	3.0 mg/l	5.0 mg/l
November 2003	ammonia	weekly	3.0 mg/l	4.7 mg/l
November 2003	ammonia	weekly	1.14 kg/day	1.33 kg/day
November 2003	ammonia	weekly	1.14 kg/day	1.94 kg/day
December 2003	ammonia	monthly	2.0 mg/l	8.3 mg/l
December 2003	ammonia	monthly	0.76 kg/day	2.35 kg/day
December 2003	ammonia	weekly	3.0 mg/l	3.5 mg/l
December 2003	ammonia	weekly	3.0 mg/l	7.0 mg/l
December 2003	ammonia	weekly	3.0 mg/l	14 mg/l
December 2003	ammonia	weekly	1.14 kg/day	1.99 kg/day
December 2003	ammonia	weekly	1.14 kg/day	3.98 kg/day
December 2003	TSS	monthly	12 mg/l	15 mg/l
December 2003	CBOD5	monthly	10 mg/l	21 mg/l
December 2003	CBOD5	monthly	3.78 kg/day	5.97 kg/day
December 2003	CBOD5	weekly	15 mg/l	18 mg/l
December 2003	CBOD5	weekly	15 mg/l	17 mg/l
January 2004	ammonia	monthly	2.0 mg/l	8.8 mg/l
January 2004	ammonia	monthly	0.76 kg/day	1.97 kg/day
January 2004	ammonia	weekly	3.0 mg/l	13 mg/l
January 2004	ammonia	weekly	3.0 mg/l	7.8 mg/l
January 2004	ammonia	weekly	3.0 mg/l	5.4 mg/l
January 2004	ammonia	weekly	1.14 kg/day	2.71 kg/day
January 2004	ammonia	weekly	1.14 kg/day	1.98 kg/day
January 2004	ammonia	weekly	1.14 kg/day	1.21 kg/day
January 2004	TSS	monthly	12 mg/l	26 mg/l
January 2004	TSS	monthly	4.54 kg/day	7.56 kg/day
January 2004	TSS	weekly	18 mg/l	28 mg/l
January 2004	TSS	weekly	18 mg/l	49 mg/l
January 2004	TSS	weekly	18 mg/l	25 mg/l
January 2004	TSS	weekly	6.81 kg/day	13.9 kg/day
January 2004	TSS	weekly	6.81 kg/day	8.04 kg/day
January 2004	CBOD5	monthly	10 mg/l	27 mg/l



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#### Effluent Limit Violations for January 1999 through September 2005

<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
January 2004	CBOD5	monthly	3.78 kg/day	7.71 kg/day
January 2004	CBOD5	weekly	15 mg/l	49 mg/l
January 2004	CBOD5	weekly	15 mg/l	51 mg/l
January 2004	CBOD5	weekly	5.67 kg/day	9.97 kg/day
January 2004	CBOD5	weekly	5.67 kg/day	15.8 kg/day
March 2004	ammonia	monthly	2.0 mg/l	9.7 mg/l
March 2004	ammonia	monthly	0.76 kg/day	3.64 kg/day
March 2004	ammonia	weekly	3.0 mg/l	10 mg/l
March 2004	ammonia	weekly	3.0 mg/l	9.3 mg/l
March 2004	ammonia	weekly	1.14 kg/day	4.43 kg/day
March 2004	ammonia	weekly	1.14 kg/day	2.85 kg/day
March 2004	pH	daily	6.5 S.U. (min.)	not attained 2 days
April 2004	ammonia	monthly	2.0 mg/l	5.5 mg/l
April 2004	ammonia	weekly	3.0 mg/l	6.6 mg/l
April 2004	ammonia	weekly	3.0 mg/l	4.4 mg/l
April 2004	dissolved oxygen	daily	5.0 mg/l (min.)	1.0 mg/l
May 2004	TSS	monthly	12 mg/l	13 mg/l
May 2004	TSS	weekly	18 mg/l	41 mg/l
May 2004	TSS	weekly	6.81 kg/day	12.8 kg/day
May 2004	CBOD5	monthly	10 mg/l	27 mg/l
May 2004	CBOD5	monthly	3.78 kg/day	8.46 kg/day
May 2004	CBOD5	weekly	15 mg/l	18 mg/l
May 2004	CBOD5	weekly	15 mg/l	82 mg/l
May 2004	CBOD5	weekly	5.67 kg/day	9.97 kg/day
May 2004	CBOD5	weekly	5.67 kg/day	25.3 kg/day
May 2004	fecal coliform	monthly	1000#/100ml	1500#/100ml
May 2004	fecal coliform	weekly	2000#/100ml	10000#/100ml
May 2004	fecal coliform	weekly	2000#/100ml	10000#/100ml
June 2004	ammonia	weekly	3.0 mg/l	9.6 mg/l
June 2004	TSS	monthly	12 mg/l	30 mg/l
June 2004	TSS	monthly	12 mg/l	29 mg/l
June 2004	TSS	monthly	12 mg/l	30 mg/l
June 2004	fecal coliform	weekly	2000#/100ml	6900#/100ml
July 2004	chlorine residual	daily	0.019 mg/l	exceed 6 days
July 2004	ammonia	monthly	2.0 mg/l	6.3 mg/l
July 2004	ammonia	monthly	0.76 kg/day	1.47 kg/day
July 2004	ammonia	weekly	3.0 mg/l	9.6 mg/l

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<u>Month /Year</u>	<u>Parameter</u>	<u>Frequency</u>	<u>Permit Limit</u>	<u>Reported Value</u>
July 2004	ammonia	weekly	1.14 kg/day	2.25 kg/day
July 2004	fecal coliform	weekly	2000#/100ml	13200#/100ml
August 2004	chlorine residual	daily	0.019 mg/l	exceed 4 days
August 2004	DO	daily	5.0 mg/l	not attain 3 days
August 2004	ammonia	monthly	2.0 mg/l	3.0 mg/l
August 2004	ammonia	weekly	3.0 mg/l	4.7 mg/l
August 2004	fecal coliform	weekly	2000#/100ml	2800#/100ml
September 2004	chlorine residual	daily	0.019 mg/l	exceed 4 days
October 2004	DO	daily	5.0mg/l	3.0 mg/l
October 2004	chlorine residual	daily	0.019 mg/l	exceed 9 days
August 2005	DO	daily	5.0mg/l	4.0 mg/l
August 2005	DO	daily	5.0 mg/l	4.4 mg/l
August 2005	Chlorine	daily	0.038 mg/l	0.06 mg/l
August 2005	Chlorine	daily	0.038 mg/l	0.08 mg/l
August 2005	Chlorine	daily	0.038 mg/l	0.06 mg/l
August 2005	Chlorine	daily	0.038 mg/l	0.05 mg/l
August 2005	Chlorine	daily	0.038 mg/l	0.1 mg/l
September 2005	fecal coliform	weekly	2000#/100ml	2716#/100ml
September 2005	Chlorine	daily	0.038 mg/l	0.35 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.09 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.07 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.05 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.32 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.05 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.33 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.38 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.32 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.33 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.05 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.06 mg/l
September 2005	Chlorine	daily	0.038 mg/l	0.05 mg/l