

OHIO E.P.A.

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OHIO EPA - TSW
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BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Snow Hill Country Club
11093 State Route 73
New Vienna, Ohio 45159

Director's Expedited
Settlement Agreement and Orders

Respondent

I. JURISDICTION

This Expedited Settlement Agreement and Order (ESA) is issued to the Snow Hill Country Club ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") [3704.03, 3714.12, 3734.13 or 6111.03] and 3745.01.

II. FINDINGS

1. Respondent owns and operates a wastewater treatment plant ("WWTP") located at 11093 State Route 73, New Vienna, Ohio 45159.
2. Respondent holds a valid, unexpired National Pollutant Discharge Elimination System ("NPDES") permit, number 1PZ00029*CD, for the discharges from the WWTP.
3. Respondent discharges to "waters of the state" as defined by ORC Section 6111.01
4. This document does not modify NPDES Permit No. 1PZ00029*CD. The purpose of this document is to correct a condition of noncompliance with NPDES Permit No. 1PZ00029*CD and not to alter said permit.
5. Ohio Administrative Code ("OAC") Rule 3745-7-02 requires each person owning or operating a treatment works to designate one or more operators of record to oversee the technical operation of the treatment works and supply notification on a form acceptable to the Director.

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: [Signature] Date: 12-14-11

6. OAC Rule 3745-33-08 (A)(9) requires the Respondent provide adequately trained and qualified personnel as required in Chapter 3745-7 of the Administrative Code to operate such wastewater treatment facilities.
7. Pursuant to ORC Section 6111.07(A), no person shall violate or fail to perform any duty imposed by ORC Sections 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. Each day of violation is a separate offense.
8. On August 2, 2011, Ohio EPA sent the Respondent a letter stating the operator of record notification form had not been received as required by OAC 3745-7-02.
9. On September 6, 2011, Ohio EPA sent the Respondent a Notice of Violation Letter ("NOV") in an effort to address the failure to supply the operator of record notification form identified in Finding #5 above. Attachment I is Respondent's NOV letter. Attachment I is hereby incorporated into these Findings and Orders as if fully stated herein.
10. 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 purposes of ORC Chapter 6111.
11. In consideration of Respondent's size of business, its full compliance history, its good faith effort to comply, and other factors as justice may require, and upon consideration of the entire record, this ESA is an appropriate mechanism to resolve the noncompliance detailed in the Findings of this ESA.

III. ORDERS

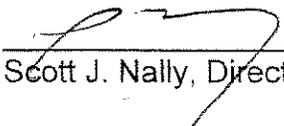
1. Within sixty (60) days from the date of Director's letter inviting Respondent to sign this ESA, Respondent shall supply the Operator of Record form under Chapter 3745-7-02 (A)(2) of the Ohio Administrative Code to the following address: Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049 attn. Daniel A. Kopec.
2. Within sixty (60) days from the date of 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 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.

VII. SIGNATORY AUTHORITY

Each undersigned representative or party to this ESA certifies that he or she is fully authorized to enter into this ESA and to legally bind such party to this ESA.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency



Scott J. Nally, Director

12/9/11
Date

IT IS SO AGREED:

Snow Hill Country Club



Signature

11/19/11
Date

Robert T. Henderson

Printed or Typed Name

CEO/Managing Member

Title

Attachment 1