

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

City of St. Marys
101 East Spring Street
St Marys, Ohio 43885

:
:
:

Director's Final Findings
and Orders

OHIO E.P.A.
SEP - 8 2003
FILED DIRECTOR'S JOURNAL

JURISDICTION

Pursuant to Ohio Revised Code (ORC) Chapter 6111 and Section 3745.01, the Director of the Ohio Environmental Protection Agency (Ohio EPA) hereby makes the following Findings and issues the following Orders.

PARTIES BOUND

These orders shall apply to and be binding upon the City of St. Marys, hereinafter "Respondent", its assigns and successors in interest. No change in ownership or operation of the Respondent's facility will in any way alter Respondent's responsibilities under these Orders. Respondent's obligations under these orders may be altered only by the written approval of the Director of the Ohio EPA.

FINDINGS OF FACT

1. Respondent owns and operates the St. Marys Wastewater Treatment Plant (WWTP) located at North Hickory St., St. Marys, Ohio, and the associated collection system. Collectively, the WWTP and its collection system are hereinafter referred to as the St. Marys Publicly Owned Treatment Works (POTW).
2. The St. Marys POTW discharges "sewage", "industrial waste", and/or "other wastes", as those terms are defined in ORC Section 6111.01, to the St. Marys River, the Miami-Erie Canal and their tributaries.
3. The St. Marys River, the Miami-Erie Canal and their tributaries, constitute "waters of the state" as defined by ORC Section 6111.01.
4. Respondent holds an effective NPDES permit, number 2PD00026*ND (OH0021415), which authorizes Respondent to discharge from the St. Marys POTW to waters of the state. The permit became effective August 1, 2001; it has an expiration date of May 31, 2006.

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

By: Zona L. Clement Sep 8, 2003

5. Respondent operates separate sanitary and storm water collection systems. Respondent's sanitary collection system is designed to carry sewage, industrial waste and other wastes to the WWTP, and is not designed to carry storm water or significant amounts of infiltration and inflow (I/I). During wet weather, I/I in the sanitary collection system causes overflows of untreated sewage, industrial waste, and other wastes from the sewer system through five sanitary sewer overflows (SSOs) to the St. Marys River and the Miami-Erie Canal.
6. As part of its POTW, Respondent operates an equalization basin, located at the WWTP, which is designed to store the increased flows from I/I in the sanitary collection system during wet weather until it can be treated in the WWTP. Frequently, flows from the sanitary collection system exceed the capacity of the equalization basin during wet weather, and partially treated sewage, industrial waste, and other waste bypass the WWTP and are discharged from the equalization basin to the St. Marys River.
7. NPDES permit No 2PD00026*MD (effective November 1, 1993 through July 31, 2001) authorized one outfall (Outfall 009) from the equalization basin and five collection system overflows (Outfalls 002, 003, 004, 005, and 007). Respondent has documented several overflow events from outfalls 002, 003, and 009. The following list indicates the number of documented days that overflow events occurred from the equalization basin and at each of the SSOs between January, 1994 and April, 2000:

<u>Outfall #</u>	<u>Location</u>	<u># Overflows</u>	<u>Receiving Water</u>
002	W. Spring and Augustus	45	St. Marys River
003	St. Marys River and RR	6	St. Marys River
009	Equalization Basin	189	St. Marys River

8. The outfalls listed in Finding No. 7, above, were subject to effluent limitations included in NPDES permit No. 2PD00026*MD. On numerous occasions, as listed in Attachment A, the discharge from these overflows/bypasses exceeded the effluent limitations in NPDES permit No 2PD00026*MD.
9. Upon renewal of Respondent's NPDES Permit No. 2PD00026*ND, the discharge of sewage, industrial waste, and other waste, from outfalls 002 and 003 is prohibited. Outfall 009 is a treatment bypass and discharges are prohibited except under emergency conditions as authorized by 40 CFR 122.41(m) or Part III, Item 11 of Respondent's NPDES Permit No. 2PD00026*ND.

10. ORC Section 6111.04 prohibits the discharge of sewage, industrial waste, or other wastes to waters of the state except in accordance with a valid, unexpired permit from Ohio EPA, or any discharge of pollutants in excess of the permissive discharges specified under a valid unexpired NPDES permit. ORC Section 6111.07 prohibits any violation of any duty imposed by Sections 6111.01 through 6111.08; it also prohibits any violation of any order, rule or term or condition of any permit issued by the Director of Ohio EPA pursuant to such sections. Respondent is in violation of its NPDES permit and ORC Sections 6111.04 and 6111.07.
11. It is anticipated that Respondent will continue to discharge from outfalls 002, 003, and 009. Therefore, these Findings & Orders are necessary to bring Respondent into compliance with its NPDES permit in accordance with the schedule contained herein.
12. 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 permit to install (PTI) requirement of ORC Sections 6111.44 and 6111.45 and OAC Chapter 3745-31.
13. This document does not modify NPDES permit No. 2PD00026*ND. The purpose of this document is to correct Respondent's noncompliance with NPDES permit, No. 2PD00026*ND, and not to alter said permit.
14. The Director has given consideration to and based his determination on evidence relating to the technical feasibility and the economic reasonableness of complying with these Orders, to evidence relating to conditions calculated to result from compliance with these Orders and their relation to the benefits to the people of State to be derived from such compliance in accomplishing the purpose of ORC Chapter 6111.

ORDERS

1. Beginning on the effective date of these Findings and Orders, Respondent shall comply with the SSO and Bypass monitoring and reporting requirements contained in Attachment B, which is hereby made a part of these Findings and Orders.
2. Respondent shall develop and implement a Capacity, Management, Operation, and Maintenance (CMOM) Program for all parts of the collection system and the treatment system that Respondent owns or over which Respondent has

operational control. Respondent's CMOM Program shall meet the following criteria:

- a. General Standards - Respondent's CMOM Program shall be consistent with the following general standards:
 - i. Properly manage, operate and maintain its collection and treatment systems at all times;
 - ii. Provide adequate capacity to convey and treat base flows and peak flows and meet all effluent limitations in its effective NPDES permit;
 - iii. Take all feasible steps to stop, and mitigate the impact of, sanitary sewer overflows as soon as possible; and
 - iv. Provide notification that will be available to parties with a reasonable potential for exposure to pollutants associated with the overflow event.

- b. Management Program - as part of its CMOM Program, Respondent shall develop a management program to implement activities for its CMOM program to comply with paragraph 2.a.. The management program may incorporate other documents by reference and will include, at a minimum, the following:
 - i. Program Goals - major goals of Respondent's CMOM program, consistent with the general standards identified in paragraph 2.a. above;
 - ii. Organization Description
 - (1) Administrative and maintenance positions responsible for implementing measures in Respondent's CMOM program, including lines of authority by an organization chart or similar document; and
 - (2) The chain of communication for reporting SSOs, from the receipt of a complaint or other information to the person responsible for reporting to the NPDES authority.
 - iii. Legal Authorities - Respondent's CMOM Program shall include the implementation and enforcement of sewer use ordinances, service agreements or other legally binding documents that:

- (1) Control infiltration and connections from inflow sources;
- (2) Require that all sewers and connections be properly designed and constructed;
- (3) Ensure proper installation, testing, and inspection of new and rehabilitated sewers (such as new or rehabilitated collector sewers and new or rehabilitated service laterals);
- (4) Address flows from satellite municipal collection systems; and
- (5) Implement the general or specific prohibition of the national pretreatment program that Respondent is subject to under 40 CFR 403.5.

iv. Implementation Measures and Activities - Respondent shall identify its activities and measures to implement its CMOM program for the collection system and treatment facility. Respondent shall address the elements listed in Orders 2.b.iv.(1) through 2.b.iv.(5), below, and identify the person or position in Respondent's organization responsible for each element. Respondent shall include a description of how Respondent will monitor implementation of each applicable element and, where possible, measure performance.

- (1) Maintenance Facilities, Equipment, and Replacement Parts:
 - (a) Providing adequate maintenance facilities and equipment;
 - (b) Identification of critical parts needed for system operation and maintenance; and
 - (c) Maintaining an adequate inventory of replacement parts.
- (2) Routine Preventive Maintenance
 - (a) Providing adequate preventive and routine maintenance using predictive approach; and
 - (b) Continually reviewing and updating maintenance

procedures using information management systems that use predictive processes.

(3) Information Management

- (a) Development and maintenance of an accurate and up-to-date map of the collection system;
- (b) Managing information and using timely, relevant information for establishing and prioritizing appropriate CMOM activities, and identifying and illustrating trends in overflow occurrences;
- (c) Responding to overflows, providing emergency operations, and preventive operations;
- (d) Tracking collection system problems, failures and/or violations, including customer complaints;
- (e) Maintaining records for work orders associated with investigations, inspections, new installations, preventive and routine maintenance, and corrective actions; and
- (f) Complying with the records retention requirements of its NPDES permit.

(4) Operations and Capacity Management

- (a) Ensuring proper installation, testing and inspection of new sewers and new connections (including new service laterals) to Respondent's collection system;
- (b) Continually assessing the current structural integrity and capacity of the collection system and treatment facilities which Respondent owns or over which Respondent has operational control;
- (c) Assessing, evaluating, and addressing as appropriate, the impact of industrial discharges to the collection system tributary to the overflow or bypass;

- ii. Respondent's overflow response plan must address the following elements:
- (1) Overflow response procedure - an overflow response procedure that describes steps to be taken to address any potential system failures. The procedure must address receiving and dispatching information during investigation and response; mobilizing labor and equipment to investigate reported incidents and take appropriate responses; and documenting the findings and response.
 - (2) Public Notification - The overflow response plan must describe actions that will be taken, in cooperation with State and/or local health agencies and clarify the entity responsible for each of the following actions:
 - (a) Limiting public access to areas potentially impacted by an overflow;
 - (b) Posting warning signs at emergency overflow outfall locations where affected water bodies are accessible to the public; and
 - (c) Provide public notification to radio, television, Internet and newspaper as appropriate.
 - (3) Immediate Notification of Health Officials and NPDES authority - The plan will provide criteria for evaluating specific overflow events in order to identify if immediate notification of Ohio EPA, the local health department, or other impacted entity (e.g., water supplier) is required, and a description of the procedures for such notification. The criteria will include or consider uses of the impacted water as well as other relevant factors.
 - (4) Reporting all relevant information regarding all overflow/bypass events or noncompliance with any term or condition of the NPDES permit that were caused in whole or in part by high volume flows to Ohio EPA including:
 - (a) The location of the overflow and the receiving water;
 - (b) An estimate of the volume of the overflow;

- (c) A description of the sewer system component from which the release occurred (e.g. manhole, constructed overflow pipe, crack in pipe);
 - (d) The estimated date and time when the overflow began and when it stopped;
 - (e) The cause or suspected cause of the overflow; and
 - (f) Steps that have been and will be taken to prevent the overflow from recurring and a schedule for those steps and a mechanism to identify and illustrate trends in overflow occurrences.
 - (5) Distribution and Maintenance - The overflow response plan will describe: how the plan will be made available to personnel responsible for implementing the plan, as well as other interested parties; training procedures for appropriate personnel, including the frequency of the training activities; and the process for reviewing and updating the plan.
- d. System Evaluation and Capacity Assurance Plan - Respondent must prepare and implement a plan for system evaluation and capacity assurance; the plan must include a description of:
 - i. Evaluation - Steps to evaluate the collection system and treatment plant. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, provide estimates of the capacity of key system components, identify hydraulic deficiencies, including components of the system with limiting capacity and identify the major sources that contribute to the peak flows associated with the overflow events;
 - ii. Capacity Enhancement Measures - Short term and long term actions to address each hydraulic deficiency, including:
 - (1) The process used for prioritizing deficiencies and actions taken to address deficiencies;
 - (2) A systematic evaluation of a comprehensive set of feasible alternatives for addressing each deficiency, including

- estimated costs and performances of various alternatives;
- (3) A demonstration that selected alternatives are implementable from legal, institutional, financial and management standpoints; and
 - (4) A schedule of key milestones, including proposed start and completion dates, for specific recommended measures.
- iii. Municipal Satellite Collection Systems - For any municipal satellite collection system that is a significant contributor to peak flow conditions that contribute to an SSO discharge caused by a hydraulic deficiency or to noncompliance at a treatment plant, a description of peak flow allocations, and measures and/or standards imposed through service agreements or other means to ensure that peak flow allocations are not exceeded.
 - iv. Plan Updates - The plan must be updated to describe any significant change in proposed actions and/or the implementation schedule. The plan must also be updated to reflect available information on the performance of measures that have been implemented.
- e. CMOM Program Audits
- i. From the effective date of these Orders, Respondent shall certify at least once every two years that Respondent has conducted an audit to evaluate implementation of the CMOM program to comply with paragraph 2.a. and summarized under paragraph 2.b, including the overflow response plans required under paragraph 2.c., and the system evaluation and capacity assurance plan under paragraph 2.d.
 - ii. Respondent shall develop an audit report, based on an evaluation of interviews with facility managers, field inspection of equipment and other resources, interviews with field personnel and first level supervisors, observation of field crews, and review of pertinent records and information management systems. At a minimum the audit report must address:
 - (1) The findings of the audit, including deficiencies;
 - (2) Documentation of steps taken to respond to each finding in

the report, including steps taken to correct each deficiency;
and

(3) A schedule for additional steps to respond to findings of the report.

iii. Respondent shall retain the two most recent compliance audits.

f. Signature, Certifications and Availability

i. The CMOM management program required under paragraph 2.b, overflow response plan required under paragraph 2.c., system evaluation and capacity assurance plan required under Order 2.d., and audit report required under paragraph 2.e. shall be signed when major modifications to the document are made in accordance with the signature and certification provisions of Respondent's NPDES permit and OAC 3745-33-03(D)(4).

ii. Respondent shall make all CMOM program documentation available to any interested parties unless such documents are prohibited from disclosure pursuant to applicable state or federal law.

iii. Communications - Respondent shall establish a system for communicating on a regular basis with various interested parties on the implementation of its CMOM program. The communication system shall address the performance of elements of the CMOM program and allow interested parties to provide input to Respondent as the CMOM program is developed and implemented.

3. Within six (6) months of the effective date of these Findings and Orders, Respondent shall submit to Ohio EPA for approval an Overflow Response Plan as described in Order No. 2.c. above.

4. Within nine (9) months of the effective date of these Findings and Orders, Respondent shall have implemented its Overflow Response Plan as approved.

5. Within twelve (12) months of the effective date of these Findings and Orders, Respondent shall submit to Ohio EPA for approval a written summary of the program it has developed in accordance with Order No. 2. The summary shall address all of the elements set forth in Order No. 2 above. Respondent shall modify the summary as appropriate to keep it updated and accurate.

6. Within thirty (30) months of the effective date of these Findings and Orders, Respondent shall submit for Ohio EPA approval its System Evaluation and Capacity Assurance Plan (SECAP) as described in Order No. 2.d including an implementation schedule, which upon approval shall be incorporated as if fully rewritten herein. The implementation schedule shall include dates for the submittal of approvable permit(s) to install applications, the start of construction for each project, and the end of construction for each project. The implementation schedule shall be written so that it provides for a consistent level of effort internally and through contractors over the period from year four (4) to year ten (10) on projects for removing the sanitary sewer overflows. Not later than ten (10) years from the effective date of these Findings and Orders, all projects shall be completed.
7. Immediately upon approval by Ohio EPA, Respondent shall implement its SECAP as approved pursuant to Order No. 6.
8. As expeditiously as practicable, but not later than ten (10) years of the effective date of these Findings and Orders, Respondent shall eliminate all unauthorized discharges from its POTW and attain compliance with NPDES Permit No. 2PD00026*ND and any modifications or renewals thereof.
9. Except as otherwise required above, Respondent shall submit all documents required by these Findings & Orders to Ohio EPA's Northwest District Office at the following address:

Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402
(ATTN: Enforcement Group Leader)

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. Nothing in these Orders shall be construed as waiving or compromising in any way the applicability and enforcement of any other statutes or regulations applicable to Respondent's operation of its Facility.

UNAVOIDABLE DELAYS

Respondent shall cause all work to be performed in accordance with applicable schedules and time frames unless any such performance is prevented or delayed by an event which constitutes an unavoidable delay. For purposes of these Orders, an "unavoidable delay" shall mean an event beyond the control of Respondent which prevents or delays performance of any obligation required by these Orders and which could not be overcome by due diligence on the part of Respondent. Increased cost of compliance shall not be considered an event beyond the control of Respondent.

Respondent shall notify Ohio EPA in writing within ten (10) days after the occurrence of an event which Respondent contends is an unavoidable delay. Such written notification shall describe the anticipated length of the delay, the cause or causes of the delay, the measures taken and to be taken by Respondent to minimize the delay, and the timetable under which these measures will be implemented. Respondent shall have the burden of demonstrating that the event constitutes unavoidable delay.

If Ohio EPA does not agree that the delay has been caused by an unavoidable delay, Ohio EPA will notify the Respondent in writing. If Ohio EPA agrees that the delay is attributable to an unavoidable delay, Ohio EPA will notify Respondent in writing of the length of the extension for the performance of the obligations affected by the unavoidable delay.

RESERVATION OF RIGHTS

These Orders do not prevent Ohio EPA from enforcing the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against Respondent for noncompliance with these Orders or for violations identified in these Orders. These Orders do not prevent Ohio EPA from exercising its authority to require Respondent to perform additional activities pursuant to Chapter 6111 of the Ohio Revised Code or any other applicable law in the future.

These Orders do not restrict the right of Respondent to raise any administrative, legal, or equitable claim or defense for any additional activities that Ohio EPA may seek to require of Respondent. These Orders do not limit the authority of Ohio EPA to seek relief for violations not cited in these Orders. Ohio EPA also reserves the right to modify these Orders in the event of legislation or rule-making implementing additional, more stringent, or otherwise inconsistent requirements concerning SSOs, or upon the request of mutually agreeable modifications by Respondent.

TERMINATION

The Respondent's obligations under these Orders shall be satisfied and terminate when Respondent demonstrates in writing, and certifies to the satisfaction of Ohio EPA that all obligations under these Orders have been performed, and the Chief of Ohio EPA's Division of Surface Water acknowledges in writing the termination of these Orders.

This certification shall be submitted by the Respondent to the Northwest District Office (Attention: DSW Enforcement Group Leader) and shall be signed by a responsible official of the City of St. Marys. A responsible official is as defined in Ohio Administrative Code (OAC) 3745-33-03(D)(1) for a corporation, OAC 3745-33-03(D)(2) for a partnership, OAC 3745-33-03(D)(3) for a sole proprietorship, and OAC 3745-33-03(D)(4) for a municipal, state, or other public facility. The certification shall contain the following attestation:

"I certify under the penalty of law that I have personally examined and am familiar with the information contained in or accompanying this certification, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information contained in or accompanying this certification is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment."

WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, Respondent agrees that these Orders are lawful and reasonable, that the schedules provided for compliance herein are reasonable, and the Respondent agrees to comply with these Orders. Ohio EPA specifically does not waive its right to pursue actions and civil penalties as set forth in the reservation of rights paragraph of these Orders.

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

Notwithstanding the preceding, in the event that 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 event, respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless said Orders are stayed, vacated, or modified.

Each undersigned representative of a signatory to these Orders certifies that he or she is fully authorized to enter into the terms and conditions of these Orders and to legally bind such signatory to this document.

IT IS SO AGREED:

City of St. Marys

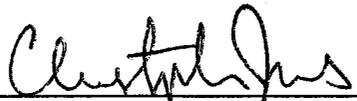
BY: 

DATE: July 21, 2003

NAME & TITLE: Michael L. Weadock
Director of Public Service & Safety

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency


Christopher Jones
Director

DATE: 8-29-03

Attachment A

City of St. Marys			
CBOD VIOLATIONS			
Date		Reported	Permit Limitation
OUTFALL 009			
1995			
May Average		30.35 mg/l	25 mg/l
July Average		31.9 mg/l	"
October 5		42.9 mg/l	40 mg/l
October Average		40.90 mg/l	25 mg/l
1996			
February Average		36.40 mg/l	25 mg/l
March Average		31.48 mg/l	"
May 17		41.5 mg/l	40 mg/l
May 24		44.6 mg/l	"
May 25		55.1 mg/l	"
May 26		56.8 mg/l	"
May 27		61.3 mg/l	"
May 28		67.7 mg/l	"
May 29		50.5 mg/l	"
May Average		33.48 mg/l	25 mg/l
June 6		45.6 mg/l	40 mg/l
June 7		42.1 mg/l	"
June 8		79.1 mg/l	"
June 9		61.6 mg/l	"
June 10		43.6 mg/l	"
June Average		54.4 mg/l	25 mg/l
1997			
March 5		43.2 mg/l	40 mg/l
March 8		51.1 mg/l	"
March 11		42.5 mg/l	"
March Average		31.49 mg/l	25 mg/l
August Average		30.10 mg/l	"
1998			
January Average		30.85 mg/l	25 mg/l
February Average		34.13 mg/l	"
March Average		26.98 mg/l	"
June 16		43.8 mg/l	40 mg/l
1999			
January 18		41.3 mg/l	40 mg/l
January 19		48.5 mg/l	"
January Average		30.63 mg/l	25 mg/l
February 7		44.2 mg/l	40 mg/l

February 8		40.9 mg/l	"
February 9		44.1 mg/l	"
February 13		40.3 mg/l	"
February Average		32.77 mg/l	25 mg/l
March Average		31.94 mg/l	"
2000			
February Average		31.05 mg/l	25 mg/l
CBOD VIOLATIONS			
Date		Reported	Permit Limitation
OUTFALL 002			
1995			
April Average		31.30 mg/l	25 mg/l
May Average		31.0 mg/l	"
November 11		65 mg/l	40 mg/l
November Average		65.0 mg/l	25 mg/l
1996			
January 23		47.3 mg/l	40 mg/l
January 24		56.5 mg/l	"
January Average		36.66 mg/l	25 mg/l
February 28		44.3 mg/l	40 mg/l
February Average		33.4 mg/l	25 mg/l
March 20		72.6 mg/l	40 mg/l
March 25		61.7 mg/l	"
March Average		67.15 mg/l	25 mg/l
April Average		26.9 mg/l	"
July 18		47.9 mg/l	40 mg/l
July Average		47.9 mg/l	25 mg/l
August Average		27.1 mg/l	"
November 25		59.4 mg/l	40 mg/l
November Average		59.4 mg/l	25 mg/l
December 17		52.9 mg/l	40 mg/l
December 18		65.2 mg/l	"
December Average		49.17 mg/l	25 mg/l
1997			
January Average		30.50 mg/l	25 mg/l
February 4		44.7 mg/l	40 mg/l
1998			
April Average		29.8 mg/l	25 mg/l
1999			
January Average		33.6 mg/l	25 mg/l
OUTFALL 003			
1997			
June 24		82.5 mg/l	40 mg/l
June Average		48.6 mg/l	25 mg/l
1999			
January Average		25.8 mg/l	25 mg/l

City of St. Marys			
SUSPENDED SOLIDS VIOLATIONS			
Date	Reported	Permit Limitation	
OUTFALL 009			
1994			
April 10	48 mg/l	45 mg/l	
April Average	48 mg/l	30 mg/l	
1995			
October Average	42 mg/l	30 mg/l	
1996			
January 18	48 mg/l	45 mg/l	
March 1	48 mg/l	"	
May 13	60 mg/l	"	
June 6	60 mg/l	"	
June 7	60 mg/l	"	
June 8	48 mg/l	"	
June 9	138 mg/l	"	
June 10	72 mg/l	"	
June Average	75.2 mg/l	30 mg/l	
July Average	36.0 mg/l	"	
December 19	58 mg/l	45 mg/l	
December Average	34.29 mg/l	30 mg/l	
1997			
February 4	64 mg/l	45 mg/l	
February 5	68 mg/l	"	
February 6	64 mg/l	"	
February 26	64 mg/l	"	
February Average	55.33 mg/l	30 mg/l	
March 14	48 mg/l	45 mg/l	
May 31	48 mg/l	"	
May Average	48 mg/l	30 mg/l	
June 10	60 mg/l	45 mg/l	
June 4	52 mg/l	"	
June Average	33.6 mg/l	30 mg/l	
1998			
January 9	56 mg/l	45 mg/l	
January Average	48 mg/l.	30 mg/l	
February 18	90 mg/l	45 mg/l	
February 19	62 mg/l	"	
February Average	58.67 mg/l	30 mg/l	
March 20	52 mg/l	45 mg/l	
July 22	64 mg/l	"	
July Average	32.67 mg/l	30 mg/l	
August 4	48 mg/l	45 mg/l	
1999			
March 6	68 mg/l	45 mg/l	
2000			
February 18	52 mg/l	45 mg/l	
February Average	34 mg/l	30 mg/l	

December Average		36 mg/l	30 mg/l		
2001					
April week two		65 mg/l	45 mg/l		
April Average		39 mg/l	30 mg/l		
May Average		34 mg/l	30 mg/l		
SUSPENDED SOLIDS VIOLATIONS					
OUTFALL 002					
1995					
March 7		108 mg/l	45 mg/l		
March Average		108 mg/l	30 mg/l		
May 19		46 mg/l	45 mg/l		
July Average		40 mg/l	30 mg/l		
October 5		108 mg/l	45 mg/l		
October Average		108 mg/l	30 mg/l		
November Average		32 mg/l	"		
1996					
January 17		108 mg/l	45 mg/l		
January 18		52 mg/l	"		
January 19		56 mg/l	"		
January 23		64 mg/l	"		
January Average		59.2 mg/l	30 mg/l		
February 26		144 mg/l	45 mg/l		
February Average		57.33 mg/l	30 mg/l		
March Average		32 mg/l	"		
April 23		74 mg/l	45 mg/l		
April Average		59 mg/l	30 mg/l		
July 18		112 mg/l	45 mg/l		
July Average		112 mg/l	30 mg/l		
August 19		48 mg/l	45 mg/l		
August Average		48 mg/l	30 mg/l		
December 16		64 mg/l	45 mg/l		
December Average		38.67 mg/l	30 mg/l		
1997					
January 22		64 mg/l	45 mg/l		
January Average		64 mg/l	30 mg/l		
February 4		152 mg/l	45 mg/l		
February Average		70.67 mg/l	30 mg/l		
May 31		52 mg/l	45 mg/l		
May Average		52 mg/l	30 mg/l		
June 1		56 mg/l	45 mg/l		
June Average		56 mg/l	30 mg/l		
1998					
April 9		168 mg/l	45 mg/l		
April Average		168 mg/l	30 mg/l		
June 16		88 mg/l	45 mg/l		
June Average		88 mg/l	30 mg/l		
July 7		232 mg/l	45 mg/l		
July Average		138 mg/l	30 mg/l		
August Average		40 mg/l	30 mg/l		

1999			
January 21		64 mg/l	45 mg/l
January 22		144 mg/l	"
January Average		104 mg/l	30 mg/l
2002			
OUTFALL 003			
1995			
March 7		60 mg/l	45 mg/l
March Average		60 mg/l	30 mg/l
1997			
June 24		104 mg/l	45 mg/l
June Average		64 mg/l	30 mg/l
1998			
July 22		64 mg/l	45 mg/l
July Average		64 mg/l	30 mg/l
August 6		64 mg/l	45 mg/l
August Average		64 mg/l	30 mg/l
1999			
January Average		36 mg/l	30 mg/l

DISSOLVED OXYGEN VIOLATIONS			
City of St. Marys			
Date		Reported	Permit Limit
OUTFALL 003			
1998			
June 24		1.4 mg/l	5.0 mg/l minimum

ATTACHMENT B

The respondent shall monitor the collection system overflows when discharging at Station Numbers 2PD00026002, 2PD00026003, 2PD00026004, 2PD00026005 and 2PD00026007 and report to the Ohio EPA in accordance with the following table. The sampling locations are listed below.

CHARACTERISTIC		MONITORING REQUIREMENTS		
Reporting Code	Units	Parameter	Measurement Frequency	Sample Type
00530	mg/l	Suspended Solids	1/Month	Grab
50050	MGD	Flow	When discharging	Daily Estimate
80082	mg/l	CBOD5	1/Month	Grab
80998	Number/Month	Occurrences	When discharging	Estimate
80999	Hours	Duration	When discharging	Daily Estimate

***-NOTES:**

Data for the number of occurrence(s) per day, the daily duration, and the total daily flow may be estimated.

A Monthly Operating Report (Form 4500) for these stations **MUST BE SUBMITTED EVERY MONTH.**

If there are **NO DISCHARGES DURING THE ENTIRE MONTH:**

- 1) Report AL in the first column of the first day of the month on the 4500 Form.
- 2) Sign the form.

If there are **DISCHARGES ON ONE OR MORE DAYS DURING THE MONTH:**

- 1) Enter the data required for the days when a discharge occurred.
- 2) Enter AH (Sample Not Taken, Explanation in Remarks Section) or AN (Sample Not Taken, Plant Not Normally Staffed - Saturday, Sunday, Holidays) for each parameter on each day there was no discharge. Daily or 1/Day frequencies require daily entries. Monthly or 1/Month frequencies require one entry per month. For "AH", enter "No discharge" in the Remarks Section.
- 3) Sign the form.

Discharge through these stations is prohibited except under emergency conditions as authorized by federal regulation at 40 CFR 122.41(m) or Part III, Item 11, General Conditions, of Ohio NPDES permit 2PD00026*ND.

Sampling Station	Description	Receiving Water
2PD00026002	West Spring and Augustus	St. Marys River
2PD00026003	St. Marys River at railroad	St. Marys River

2PD00026004
2PD00026005
2PD00026007

High Street at canal
Madison at canal
West of wastewater treatment plant

Miami-Erie Canal
Miami-Erie Canal
St. Marys River