



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

4/5/2016

Country Woods Estates MHP
Attn: John Cook
2150 Stone Road
Chillicothe, OH 45601

RE: Director's Final Findings & Orders
NPDES
Ross County
OPV00025

Ladies and Gentlemen:

Transmitted herewith is one copy of the Director's Final Findings & Orders in the referenced matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin J. Fowler". The signature is fluid and cursive.

Kevin J. Fowler, Supervisor
Permit Processing Unit
Division of Surface Water

KJF/dks

Enclosure

CERTIFIED MAIL

cc: M. Mann, DSW
R. DeMuth, DSW
B. Schuch, DSW
L. Reeder, DSW
S. Sheerin, DSW
J. Martin, DSW
Fiscal
Compliance Section
M. McCarron, PIC
H. Griesmer, PIC
J. Witte, SEDO/DSW
B. Fischbein, Legal
Journal Room
File

OHIO E.P.A.

APR -5 2016

By: Dan Cassler Date: 4-5-14

ENTERED DIRECTOR'S JOURNAL

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

**Country Woods Estates
Mobile Home Park
2150 Stone Road
Chillicothe, Ohio 45601**

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**Director's Final
Findings and Orders**

I. JURISDICTION

These Director's Final Findings and Orders (DFFOs) are issued to **Country Woods Estates Mobile Home Park** ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("R.C.") 6111.03 and 3745.01.

II. FINDINGS

1. Respondent owns and operates **Country Woods Estates Mobile Home Park** which is located at **2150 Stone Road, Chillicothe, Ohio 45601**.
2. Respondent holds a valid, unexpired National Pollutant Discharge Elimination System ("NPDES") permit, number 0PV00025*CD, for the discharges to the unnamed tributary of Deer Creek.
3. The unnamed tributary of Deer Creek is considered a "waters of the state" as defined by R.C. Section 6111.01
4. This document does not modify NPDES Permit Number 0PV00025*CD. The purpose of this document is to correct a condition of noncompliance with NPDES Permit Number 0PV00025*CD and not to alter said permit.
5. Pursuant to R.C. Section 6111.07(A), no person shall violate or fail to perform any duty imposed by R.C. 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.

6. The NPDES permit Part III. 4. C requires that Discharge Monitoring Reports ("DMRs") submitted using e-DMR shall be submitted to Ohio EPA by the 20th day of the month following the month-of-interest.
7. Respondent has failed to submit DMRs for the months of: July 2014, August 2014, September 2014, October 2014, November 2014, December 2014, January 2015, February 2015, March 2015, April 2015, May 2015, and June 2015. Respondent was notified of these violations via monthly non-submittal letters for each month identified.
8. The Director and Respondent acknowledge that violations other than those specifically listed in Finding #7 may exist and agree that those violations may be subject to future enforcement action. As set forth in Paragraph V, the Director is reserving his rights for enforcement for violations not specifically listed in Finding #7.
9. 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 R.C. Chapter 6111.

III. ORDERS

1. Within thirty (30) days from the date of the letter inviting Respondent to sign these DFFOs, Respondent shall submit the missing DMRs from July 2014, August 2014, September 2014, October 2014, November 2014, December 2014, January 2015, February 2015, March 2015, April 2015, May 2015, and June 2015) and begin submitting all required monthly DMRs on time including July 2015 to the present. For post DMR submittal months, if samples were not taken, submission of post DMRs with the use of the proper 'A' Code (including comment) is required.
2. Within sixty (60) days from the date of the letter inviting Respondent to sign these DFFOs, Respondent shall pay to the Ohio EPA the amount of five hundred dollars (\$ 500) in settlement of the Ohio EPA's claim for civil penalties, for the violations specifically set forth in Findings #7, 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 these DFFOs.

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

**Ohio Environmental Protection Agency
Central Office
Attn: Division of Surface Water Compliance
and Enforcement Manager
50 W. Town Street, Suite 700
Columbus, Ohio 43216-1049**

IV. TERMINATION

Respondent's obligations under these DFFOs shall terminate upon Ohio EPA's receipt of the civil penalty payment required by these DFFOs and completion of Order number 1.

V. RESERVATION OF RIGHTS AND WAIVER

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived herein.

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 DFFOs, Respondent consents to the issuance of these DFFOs and agrees to comply with these DFFOs. Compliance with these DFFOs shall be a full accord and satisfaction of 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 DFFOs and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these DFFOs either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these DFFOs 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 comply with these DFFOs notwithstanding such appeal and intervention unless these DFFOs are stayed, vacated, or modified.

VI. EFFECTIVE DATE

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

VII. SIGNATORY AUTHORITY

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

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency

Craig W. Butler

Craig W. Butler, Director

April 5, 2016
Date

IT IS SO AGREED:

FACILITY

John P. Cook

Signature

3/22/16
Date

John P. Cook

Printed or Typed Name

OWNER

Title