

**Environmental
Protection Agency**

Commissioner, Governor
Assistant Commissioner, Lt. Governor
Director

July 20, 2011

RE: SCOOTERS RESTAURANT
OHIO EPA PERMIT 3PR00428
ANDOVER TWP, ASHTABULA COUNTY
COMPLIANCE EVALUATION INSPECTION

Mr. Jeff McWilliams, Owner
Scooters Restaurant
6669 State Route 85
Andover, OH 44003

Dear Mr. Mitchell:

On July 7, 2011, a site inspection was conducted at the above referenced facility at 6669 State Route 85, Andover Township, Ashtabula County. The inspection was conducted by John Schmidt of this office, and you represented Scooters Restaurant. 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 and a pre-permit inspection associated with the renewal of this permit. The last compliance inspection was conducted on July 9, 2010.

The system consists of a 1,000 gallon trash trap, 200 gallon equalization tank, 5,000 gpd extended aeration system with clarifier, lift station, dosing chamber, 432 SF surface sand filtration, chlorine disinfection, and dechlorination. Sludge management consists of sludge removal from a 1,000 gallon aerated sludge holding tank when needed to another POTW. The facility discharges to Wade Creek adjacent to the north side of the facility. No backup power is provided to the facility, and the facility is provided with alarms.

Observations

The following observations were made during the inspection.

1. The plant is operated by Lewis Wastewater Services on behalf of Scooters Restaurant. Log books and the operation and maintenance manual are maintained at the site and were available for inspection.
2. The content of the aeration tank had a dark brown color, good mixing, and no odor. A blower was running and the plant was receiving sufficient aeration. Remaining blowers could not be cycled and their condition is unknown. The condition of the blower alarm is also unknown.
3. From examination of the plant monitoring reports, sludge has not been removed from this facility in several years. It is also unknown when grease traps were last pumped out. Please provide information of the last time the sludge tanks and grease traps were pumped.
4. The clarifier was bubbling, indicating a leaking or broken air line. Since the clarifier was being agitated, no settling was taking place and the return lines were returning clear liquid. Effluent channels and weirs appeared in acceptable condition.

5. The dosing pumps were found in the off position and would not operate when placed into the hand mode. Discussions with your operator since the inspection indicate that these pumps were replaced with float-activated pumps and that the controls in the control box are non-functional. The alarm was tested and found in operating condition.
6. The surface sand filters had a significant accumulation of vegetation. The sand filter accumulation of weeds and leaves/debris should be removed, with filters re-raked and additional sand placed as needed. Since the dosing pumps did not operate, no discharge to the sand filters was observed during the inspection. Observed liquid on the surface of the east filter was dark grey.
7. Mr. Osborne was contacted during the inspection to service the plant and investigate the clarifier air lines and inoperable dosing pumps.
8. The disinfection tank was found stocked with the appropriate chlorination and dechlorination chemicals.
9. The final discharge pipe at Wade Creek was observed, and was not discharging at the time of the inspection.

NPDES Permit Compliance Review

A review of the electronic discharge self-monitoring reports (eDMRs) received by Ohio EPA for the period June 1, 2010 through June 1, 2011, indicates apparent noncompliance of the terms and conditions of your NPDES permit as identified below:

Limit Violations, Reporting Violations, and Compliance Schedule Violations

No effluent limit violations, reporting violations, or compliance schedule violations were noted for the reporting period reviewed.

Other Violations

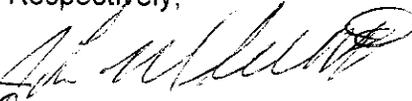
1. **Failure to Notify of a Change in Ownership or Control:** Pursuant to Part III, Item 19 of your NPDES permit, the Permittee must notify the succeeding owner or successor of the existence of this permit and a copy forwarded to this office. Ohio EPA has no record of receiving this notification from the former facility owners. Your permit also states that Ohio EPA must be notified of the date of transfer to enable to establish ownership of violation(s). Please provide Ohio EPA the date of ownership and permit transfer on the appropriate transfer of NPDES permit form, found at http://epa.ohio.gov/portals/35/permits/NPDESTransferForm_fis.pdf. Upon date of the notification, Ohio EPA will commence the process to modify this permit to reflect the change on ownership of this permit.
2. **Failure to renew your NPDES Permit:** Ohio EPA notes that your NPDES permit expired on June 30, 2011. Scooters Restaurant was notified on August 31, 2010, that a renewal application was due to Ohio EPA no later than December 30, 2010. Following the inspection, Ohio EPA contacted Mr. Dustin Lewis of Lewis Wastewater / Clean Streams, and an NPDES permit has since been submitted. Ohio EPA still needs the transfer of NPDES permit form noted above to process the renewal application.

Mr. Jeff McWilliams, Scooters, Inc.
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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. 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.

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

Respectively,



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

JMS:bo

pc: Dustin Lewis, Lewis Wastewater Management / Clean Streams

File: SP/Ashtabula/Andover Twp/Scooter's Restaurant (3PR00428)