



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korteski, Director

November 4, 2010

RE: GEAUGA COUNTY
CHARDON
YOPS TIME OUT GRILL
NPDES# 3PR00206*BD

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. George Yopko
Yop's Time Out Grille
11095 Chardon Road
Chardon, OH 44024

Dear Mr. Yopko:

Your National Pollutant Discharge Elimination System (NPDES) permit referenced above has expired. To date, our office does not have on file a renewal application that was required to be submitted with the application fee 180 days prior to permit expiration. The NPDES permit is required for a discharge of wastewater to 'waters of the state.' Pursuant to Ohio Revised Code (ORC) Section 6111.04:

"No person shall cause pollution or place or cause to be placed any sewage, industrial waste, or other wastes in a location where they cause pollution of any waters of the state... except in such cases where the director of environmental protection has issued a valid and unexpired permit..."

Our files document a notification letter being sent to you on May 18, 2010.

In addition, a review of your discharge monitoring report data reveals you have failed to monitor and submit discharge monitoring reports since the April 2008 monitoring period. Failure to monitor is a violation of the terms and conditions of your NPDES permit and subject to enforcement actions pursuant Ohio Revised Code Chapter 6111.

You are in significant non compliance for failure to monitor according to the terms and conditions of your NPDES permit and for failure to submit a renewal NPDES permit application.

Due to your failure to submit a completed application prior to expiration of the permit, you have an unauthorized discharge of pollutants to 'waters of the state' subject to enforcement action pursuant to ORC 6111. **To avoid referral to our legal staff, we are providing you with ONE FINAL opportunity to schedule a meeting with us at the Ohio EPA Northeast District Office on November 12, 2010 to submit the forms and \$200 application fee, checks made payable to 'Treasurer, State of Ohio'.**

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NPDES permit General Form 1 and the appropriate supporting application forms (2A, 2C, 2E, 2F, 2S) may be obtained from our Web page at:

<http://www.epa.state.oh.us/dsw/permits/npdesform.html>

Additionally, an Antidegradation Addendum must accompany the application. The aforementioned forms must be signed by a principal executive officer, owner, or ranking elected official. An NPDES transfer form or letter indicating the date of purchase, and ownership information must be provided.

Please contact this office at (330) 963-1299 to schedule a time for your meeting on November 12, 2010.

Respectfully,



Laura A. Weber, P.E.
Environmental Engineer
Division of Surface Water

LAW/mt

pc: Geauga County Health Department

ec: Dean Stoll, P.E., Ohio EPA, DSW, NEDO

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