



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

September 3, 2009

RE: GEAUGA COUNTY  
FOWLERS MILL INN  
NPDES #3PR00368\*AD

**NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Mr. Mark Fuerst, Owner  
Fowlers Mill Inn & Tavern  
P.O. Box 710  
Parkman, OH 44080

Dear Mr. Fuerst.

On August 27, 2009 this writer met with Ms. Amanda Meitz, of Biosolutions, LLC, to conduct an inspection of the sewage treatment system serving the Fowlers Mill Inn & Tavern. The intent of the inspection was to assess the operations and maintenance of the system and gather information required to renew your National Pollutant Discharge Elimination System (NPDES) permit which expired on May 9, 2009.

According to Agency records, the original wastewater system was designed to serve a 150 seat restaurant, a 330 seat banquet/party center, retail stores (20 employees total) and office space (20 employees total). The commercial sewage system consists of a trash trap, 1,500 gallon trash/grease trap, 3,500 gallon flow equalization tank, scum holding tank, 15,000 gpd extended aeration treatment plant, sludge holding tank, dosing station, 1,320 square foot surface sand filters, chlorination and dechlorination.

Currently, the only complex within the facility which is open is an office building which employs 4-5 people. It is understood the other facilities located in the complex have been closed since earlier this year. The entire complex is up for sale and/or rental. The system is underloaded which was noticeable at the time of the inspection.

**NPDES PERMIT:**

Your NPDES permit expired May 9, 2009. Your renewal application was due to this office 180 days prior to the expiration date. At the time of the inspection, this office had not received the renewal application for your NPDES permit. Per my phone conversation with you on September 2, 2009, it was indicated the permit renewal application was to be submitted within the next few days. Please be aware, operating your sewage treatment system without an NPDES permit and discharging sewage without an NPDES permit is a violation of Ohio Revised Code 6111.04 and 6111.07.

Mr. Mark Fuerst  
Fowlers Mill Inn & Tavern  
September 3, 2009  
Page 2

Violations of ORC 6111 are punishable by fines of up to \$10,000 per day of violation. Submit your permit renewal application within 30 days from the date of this letter to avoid further enforcement action.

#### INSPECTION SUMMARY:

The kitchen waste is directed to the grease trap prior to the trash trap while the sanitary waste flows directly to the trash trap. All sanitary and kitchen wastes discharge to the flow equalization tank.

The trash trap (located immediately ahead of the flow equalization tank) appeared to be somewhat full. This indicates it had not been routinely cleaned in a while and must be cleaned immediately.

The flow equalization tank was barely full due to the limited amount of flow going through the system. The blowers were in operation and there was air circulating within the tanks. A slight septic odor was present during the inspection.

The aeration tank was in poor condition. The mixed liquor within the tanks was a clear green color and the sludge return line was returning a clear liquid. There are no solids present in this system due to the system being organically underloaded. A slight septic odor was present on one side of the aeration chambers. The air circulation within the tank appeared moderate with the rollover within the tank not acceptable. The last maintenance date of the diffusers was not known at the time of the inspection. As such, it is recommended that the diffusers be checked to ensure proper air circulation is provided within the aeration chambers.

The settling tank contained liquid that was gray and contained little solids. A sample of the liquid appeared clear to slightly green. The influent baffle was full of liquid that appeared gray and contained some leaves, the effluent weir was dry and there was no effluent leaving the tank. The effluent weir had some minor weed growth occurring in it that needs to be cleared away.

The dosing tank was checked and it appears the pumps work. However, when the north pump cycled on, there was a leak in the effluent piping. The leak will need to be repaired to ensure efficient pump withdrawal from the dosing tank to the sand filters.

The sand filters were in average condition. The sand was raked and all weed growth was removed from the filter beds. The south sand filter bed was in use at the time of the inspection. The sand in the beds had some dirt mixed in with it which this office

Mr. Mark Fuerst  
Fowlers Mill Inn & Tavern  
September 3, 2009  
Page 3

does not condone. Please keep dirt and mulches out of the sand filter as this could affect the sand filters performance. Any sand or weeds removed from the filters must be properly disposed of at a solid waste landfill and must never be disposed of on your property.

The sludge holding tank was full at the time of the inspection and was not aerated. Please note, sludge holding tanks are normally aerated to prevent septic conditions from occurring within the tank. This office recommends the liquid be removed from the tank and hauled to another NPDES permitted POTW for further treatment. Because this liquid is considered wastewater, when hauling this liquid to another POTW you must use the 588 station located in your NPDES permit.

The scum holding tank was inspected and contained a clear liquid. According to Agency records, skimmings from the flow equalization tank flow into this tank. Because a kitchen is not currently in operation, there are no skimmings to send to the scum holding tank. It is understood this tank is pumped out every four months.

The chlorination and dechlorination were in good condition. The final effluent appeared somewhat green. There was no discharge out of the chlorine contact tank during the inspection. Your NPDES permit requires you to sample when you are discharging effluent to Waters of the State. If the wastewater treatment plant is not discharging, you may report with the code "AL" on your eDMR for that sampling period. If the wastewater treatment plant is not in operation, you may report with the code "AC". Please contact this office for if you have any questions on sampling procedures for your facility.

#### VIOLATION SUMMARY:

A summary of wastewater treatment plant discharge and frequency violations for the period of August 1, 2007 through August 1, 2009 has been attached to this letter. Please review all plant data to ensure the violations are accurate. Your facility is in non-compliance for discharge and frequency violations. Any reporting errors or eDMR errors must be reported to the Ohio EPA so the error can be resolved. You may contact Mr. James Roberts of this Agency's Central Office at (614) 644-2054 to discuss this issue directly.

#### SUMMARY:

- 1) The wastewater treatment plant is significantly unerloaded both hydraulically and organically. As such, this office would recommend the facility shut off the valving to the wastewater treatment plant and utilize the trash traps as septic tanks. The trash traps would be pumped out on a regular basis and the waste would be

Mr. Mark Fuerst  
Fowlers Mill Inn & Tavern  
September 3, 2009  
Page 4

hauled to another NPDES permitted POTW utilizing the 588 station in your NPDES permit. This office will require quarterly statements from you which must include the following: whether the trash trap was pumped during that quarter, the amount of solids removed, the POTW solids were hauled to, condition of all other treatment plant components left intact.

The wastewater that currently remains in the wastewater treatment plant components must be removed from the units and hauled off site for treatment at another NPDES permitted POTW. While hauling all of this waste to another POTW, you must use the 588 code for hauling solids as provided in your NPDES permit. As a reminder, please keep the tanks full of water to prevent uplift of the treatment units.

- 2) Upon submittal of the NPDES renewal application to this office, the NPDES permit for this facility will be drafted and public noticed. Once the draft NPDES permit is public noticed you will have 30 days from the date of the public notice to submit comments to the Ohio EPA regarding the draft permit.

Should you have any comments or questions regarding this letter, please contact this office at (330) 963-1299.

Respectfully,



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

LAW/mt

pc: Amanda Meitz, Biosolutions, LLC  
Geauga County Health Department

## Discharge Violations:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
September2007	001	CBOD 5 day	30DConc	10	19.4	9/1/2007
September2007	001	CBOD 5 day	7D Conc	15	19.4	9/22/2007
December 2007	001	CBOD 5 day	30D Con	10	25.1	12/1/2007
December 2007	001	CBOD 5 day	7D Conc	15	25.1	12/1/2007
December 2007	001	CBOD 5 day	30D Qty	0.30	.59738	12/1/2007
December 2007	001	CBOD 5 day	7D Qty	0.45	.59738	12/1/2007
May 2009	001	Chlorine, Total Residu	1D Conc	0.019	.07	5/29/2009
July 2009	001	Chlorine, Total Residu	1D Conc	0.019	.05	7/28/2009
September2007	001	Dissolved Oxygen	1D Conc	6.0	.03	9/27/2007
October 2007	001	Dissolved Oxygen	1D Conc	6.0	4.7	10/23/2007
November 2007	001	Dissolved Oxygen	1D Conc	6.0	5.1	11/5/2007
December 2007	001	Dissolved Oxygen	1D Conc	6.0	.1	12/3/2007
January 2008	001	Dissolved Oxygen	1D Conc	6.0	5.5	1/7/2008
April 2008	001	Dissolved Oxygen	1D Conc	6.0	5.4	4/7/2008
May 2008	001	Dissolved Oxygen	1D Conc	6.0	4.3	5/5/2008
June 2008	001	Dissolved Oxygen	1D Conc	6.0	4.1	6/9/2008
July 2008	001	Dissolved Oxygen	1D Conc	6.0	5.6	7/14/2008
August 2008	001	Dissolved Oxygen	1D Conc	6.0	5.8	8/4/2008
September2008	001	Dissolved Oxygen	1D Conc	6.0	4.4	9/2/2008
October 2008	001	Dissolved Oxygen	1D Conc	6.0	4.8	10/6/2008
September2007	001	Nitrogen, Ammonia (NH3	30DConc	1.0	26.25	9/1/2007
September2007	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	26.25	9/22/2007
October 2007	001	Nitrogen, Ammonia (NH3	30DConc	1.0	9.2	10/1/2007
October 2007	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	9.2	10/22/2007
November 2007	001	Nitrogen, Ammonia (NH3	30DConc	3.0	5.63	11/1/2007
November 2007	001	Nitrogen, Ammonia (NH3	7D Conc	4.5	5.63	11/1/2007
November 2007	001	Nitrogen, Ammonia (NH3	30D Qty	0.09	.12364	11/1/2007
December 2007	001	Nitrogen, Ammonia (NH3	30DConc	3.0	6.6	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3	7D Conc	4.5	6.6	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3	30D Qty	0.09	.15708	12/1/2007
December 2007	001	Nitrogen, Ammonia (NH3	7D Qty	0.14	.15708	12/1/2007
January 2008	001	Nitrogen, Ammonia (NH3	30DConc	3.0	5.33	1/1/2008
January 2008	001	Nitrogen, Ammonia (NH3	7D Conc	4.5	5.33	1/1/2008
February 2008	001	Nitrogen, Ammonia (NH3	30DConc	3.0	6.53	2/1/2008
February 2008	001	Nitrogen, Ammonia (NH3	7D Conc	4.5	6.53	2/1/2008
April 2008	001	Nitrogen, Ammonia (NH3	30DConc	3.0	3.43	4/1/2008
May 2008	001	Nitrogen, Ammonia (NH3	30DConc	1.0	5.18	5/1/2008
May 2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	5.18	5/1/2008
June 2008	001	Nitrogen, Ammonia (NH3	30DConc	1.0	5.3	6/1/2008
June 2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	5.3	6/8/2008
September2008	001	Nitrogen, Ammonia (NH3	30DConc	1.0	2.45	9/1/2008
September2008	001	Nitrogen, Ammonia (NH3	7D Conc	1.5	2.45	9/8/2008
October 2008	001	Nitrogen, Ammonia (NH3	30DConc	1.0	1.21	10/1/2008
February 2009	001	Nitrogen, Ammonia (NH3	30DConc	3.0	6.08	2/1/2009

Mr. Mark Fuerst  
 Fowlers Mill Inn & Tavern  
 September 3, 2009  
 Page 6

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
February 2009	001	Nitrogen, Ammonia (NH3)	7D Conc	4.5	6.08	2/8/2009
September 2007	001	Total Suspended Solids	30D Conc	12	23.	9/1/2007
September 2007	001	Total Suspended Solids	7D Conc	18	23.	9/22/2007
December 2007	001	Total Suspended Solids	30D Conc	12	80.	12/1/2007
December 2007	001	Total Suspended Solids	7D Conc	18	80.	12/1/2007
December 2007	001	Total Suspended Solids	30D Qty	0.36	1.90401	12/1/2007
December 2007	001	Total Suspended Solids	7D Qty	0.55	1.90401	12/1/2007
January 2009	001	Total Suspended Solids	30D Conc	12	14.	1/1/2009

Frequency Violations:

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2009	001	00083	Color, Severity	1/Week	1	0	03/01/2009
March 2009	001	00530	Total Suspended Solids	1/Month	1	0	03/01/2009
March 2009	001	00610	Nitrogen, Ammonia (NH3)	1/Month	1	0	03/01/2009
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/01/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/01/2009
March 2009	001	80082	CBOD 5 day	1/Month	1	0	03/01/2009
March 2009	001	00400	pH	1/Month	1	0	03/01/2009
March 2009	001	00056	Flow Rate	1/Month	1	0	03/01/2009
March 2009	001	00300	Dissolved Oxygen	1/Month	1	0	03/01/2009
March 2009	001	00010	Water Temperature	1/Week	1	0	03/08/2009
March 2009	001	00083	Color, Severity	1/Week	1	0	03/08/2009
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/08/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/08/2009
March 2009	001	00010	Water Temperature	1/Week	1	0	03/15/2009
March 2009	001	00083	Color, Severity	1/Week	1	0	03/15/2009
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/15/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/15/2009
March 2009	001	00010	Water Temperature	1/Week	1	0	03/22/2009
March 2009	001	00083	Color, Severity	1/Week	1	0	03/22/2009
March 2009	001	01330	Odor, Severity	1/Week	1	0	03/22/2009
March 2009	001	01350	Turbidity, Severity	1/Week	1	0	03/22/2009
April 2009	001	00083	Color, Severity	1/Week	1	0	04/01/2009
April 2009	001	00530	Total Suspended Solids	1/Month	1	0	04/01/2009
April 2009	001	00610	Nitrogen, Ammonia (NH3)	1/Month	1	0	04/01/2009
April 2009	001	01330	Odor, Severity	1/Week	1	0	04/01/2009
April 2009	001	01350	Turbidity, Severity	1/Week	1	0	04/01/2009
April 2009	001	80082	CBOD 5 day	1/Month	1	0	04/01/2009
April 2009	001	00400	pH	1/Month	1	0	04/01/2009

Mr. Mark Fuerst  
 Fowlers Mill Inn & Tavern  
 September 3, 2009  
 Page 7

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
April 2009	001	00056	Flow Rate	1/Month	1	0	04/01/2009
April 2009	001	00300	Dissolved Oxygen	1/Month	1	0	04/01/2009
April 2009	001	00010	Water Temperature	1/Week	1	0	04/08/2009
April 2009	001	00083	Color, Severity	1/Week	1	0	04/08/2009
April 2009	001	01330	Odor, Severity	1/Week	1	0	04/08/2009
April 2009	001	01350	Turbidity, Severity	1/Week	1	0	04/08/2009
April 2009	001	00010	Water Temperature	1/Week	1	0	04/15/2009
April 2009	001	00083	Color, Severity	1/Week	1	0	04/15/2009
April 2009	001	01330	Odor, Severity	1/Week	1	0	04/15/2009
April 2009	001	01350	Turbidity, Severity	1/Week	1	0	04/15/2009
April 2009	001	00010	Water Temperature	1/Week	1	0	04/22/2009
April 2009	001	00083	Color, Severity	1/Week	1	0	04/22/2009
April 2009	001	01330	Odor, Severity	1/Week	1	0	04/22/2009
April 2009	001	01350	Turbidity, Severity	1/Week	1	0	04/22/2009
May 2009	001	00010	Water Temperature	1/Week	1	0	05/01/2009
May 2009	001	00083	Color, Severity	1/Week	1	0	05/01/2009
May 2009	001	01330	Odor, Severity	1/Week	1	0	05/01/2009
May 2009	001	01350	Turbidity, Severity	1/Week	1	0	05/01/2009
May 2009	001	00010	Water Temperature	1/Week	1	0	05/15/2009
May 2009	001	00083	Color, Severity	1/Week	1	0	05/15/2009
May 2009	001	01330	Odor, Severity	1/Week	1	0	05/15/2009
May 2009	001	01350	Turbidity, Severity	1/Week	1	0	05/15/2009
May 2009	001	00010	Water Temperature	1/Week	1	0	05/22/2009
May 2009	001	00083	Color, Severity	1/Week	1	0	05/22/2009
May 2009	001	01330	Odor, Severity	1/Week	1	0	05/22/2009
May 2009	001	01350	Turbidity, Severity	1/Week	1	0	05/22/2009
June 2009	001	00010	Water Temperature	1/Week	1	0	06/01/2009
June 2009	001	00083	Color, Severity	1/Week	1	0	06/01/2009
June 2009	001	01330	Odor, Severity	1/Week	1	0	06/01/2009
June 2009	001	01350	Turbidity, Severity	1/Week	1	0	06/01/2009
June 2009	001	00010	Water Temperature	1/Week	1	0	06/15/2009
June 2009	001	00083	Color, Severity	1/Week	1	0	06/15/2009
June 2009	001	01330	Odor, Severity	1/Week	1	0	06/15/2009
June 2009	001	01350	Turbidity, Severity	1/Week	1	0	06/15/2009
June 2009	001	00010	Water Temperature	1/Week	1	0	06/22/2009
June 2009	001	00083	Color, Severity	1/Week	1	0	06/22/2009
June 2009	001	01330	Odor, Severity	1/Week	1	0	06/22/2009
June 2009	001	01350	Turbidity, Severity	1/Week	1	0	06/22/2009
July 2009	001	00010	Water Temperature	1/Week	1	0	07/01/2009
July 2009	001	00083	Color, Severity	1/Week	1	0	07/01/2009
July 2009	001	01330	Odor, Severity	1/Week	1	0	07/01/2009

Mr. Mark Fuerst  
Fowlers Mill Inn & Tavern  
September 3, 2009  
Page 8

Reporting Period	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
July 2009	001	01350	Turbidity, Severity	1/Week	1	0	07/01/2009
July 2009	001	00010	Water Temperature	1/Week	1	0	07/15/2009
July 2009	001	00083	Color, Severity	1/Week	1	0	07/15/2009
July 2009	001	01330	Odor, Severity	1/Week	1	0	07/15/2009
July 2009	001	01350	Turbidity, Severity	1/Week	1	0	07/15/2009