



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

June 21, 2011

RE: HORSE & HARNESS PUB  
OHIO EPA PERMIT 3PR00443  
PRAIRIE TOWNSHIP, HOLMES COUNTY  
COMPLIANCE EVALUATION INSPECTION

Ms. Linda Alexander, President  
Horse & Harness Pub  
P.O. Box 14  
Fredericksburg, OH 44627

Dear Ms. Alexander:

On June 15, 2011, a site inspection was conducted at the above referenced facility at 9260 County Road 192. The inspection was conducted by John Schmidt of this office. You represented Horse & Harness Pub during the inspection, and I spoke with your operator by telephone. 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. The last compliance inspection was conducted on May 11, 2010.

The Horse & Harness Pub suffered a major fire on January 2, 2011, and has not been open since. In our discussions, you indicated that you do not plan to rebuild the facility; however you indicated that you have some parties that may be interested in rebuilding the tavern and restarting operations. You indicated your interest in renewing the NPDES permit for this facility to make the property more marketable to potential future owners.

The wastewater treatment plant (WWTP) located along the north side of the road across from the tavern was inspected as a part of this site visit. The plant is an older package extended aeration plant that has the power shut off, and liquid is maintained in the tanks to keep them from floating. The final discharge to Salt Creek, located north of the WWTP, was verified as not discharging. You indicated that your adjacent residence has its own onsite wastewater system and has no flow that goes to the WWTP.

No log books could be located during the inspection, and you indicated that any records maintained at the facility were lost in the fire. During the site visit, you confirmed that Dean's Backflow Service is acting as your operator of record. Ohio EPA records reflect that Dean's Backflow Service submitted electronic discharge monitoring reports (eDMRs) reporting no flow for the months of January, February, and March 2011, but has no records of an eDMR submission for April or May 2011.

Ms. Linda Alexander  
Horse & Harness Pub  
June 21, 2011  
Page 2

Ohio EPA notes that your NPDES permit contains a compliance schedule for required upgrades to the existing wastewater treatment plant, including flow equalization, sludge holding, and dechlorination. To-date a PTI application has not been submitted to Ohio EPA. Ohio EPA understands that you currently do not have plans to repair your tavern; however you indicated that you plan to submit an NPDES renewal application. Your current permit will expire on November 30, 2011, and a renewal application was due to Ohio EPA no later than May 30, 2011.

Given the current lack of submittals to Ohio EPA, your facility is currently regarded as in **substantial noncompliance**. In order to return to at least marginal compliance, Ohio EPA requires the following as soon as possible:

1. Missing eDMR Reports – As noted above, Ohio EPA is missing the eDMR reports for April and May 2011. These should be electronically submitted as soon as possible.
2. Operator of Record Designation – Your NPDES permit requires your wastewater treatment works to operate under the supervision of a Class I State Certified Operator as required by OAC 3745-7-02. Part II Item B requires you to designate an operator of record and notify Ohio EPA of the designated operator of record. Ohio EPA's records indicate that no operator of record is designated for this facility, even though Dean's Backflow Service has been functioning as your operator. I have attached an operator of record form which must be completed and returned to Ohio EPA at the address listed on the form. As a courtesy, please provide a copy of this form in your response to this office.
3. Annual Sludge Report – Your NPDES permit requires you to submit a report no later than January 31<sup>st</sup> summarizing the sewage sludge disposal, use, storage, or treatment activities during the previous calendar year. Ohio EPA's files reflect that Horse & Harness Pub has never submitted this report since the NPDES permit was issued in 2006. Please submit the reports as prescribed by your NPDES permit.
4. Renewal Application for NPDES Permit – As noted above, your NPDES permit will expire on November 30, 2011. You were notified in the spring of 2010 that a renewal application was due to Ohio EPA no later than May 30, 2011. To date, no application has been received. Please submit a renewal application for your NPDES permit.

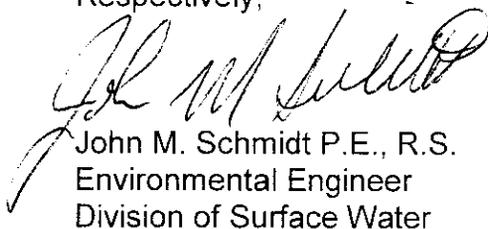
Please inform this office, in writing, within 30 days of the date of this letter as to the actions we discussed that have been or will be taken to correct the above

Ms. Linda Alexander  
Horse & Harness Pub  
June 21, 2011  
Page 3

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/mt

encl: Operator of Record Notification Form, rev 02/2008

pc: Kraig Bucklew, Holmes County Health Department  
Kevin Dean, Dean's Backflow Service, w/encl

File: SP/Holmes/Prairie Twp/Horse & Harness Pub (3PR00443)