



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

December 3, 2007

RE: LAKE COUNTY
KIRTLAND
OLDE TOWNE TAVERN
NPDES PERMIT NO. 3PR00170
APPLICATION NO. OH0117803

Mr. Ron Barnes
Olde Towne Tavern
7592 Euclid-Chardon Road
Kirtland, OH 44094

NOTICE OF VIOLATION

Dear Mr. Barnes:

On November 28, 2007, this writer conducted an operation and maintenance inspection of the wastewater treatment plant that serves the Olde Towne Tavern. The restaurant is served by a Chromaglass aeration plant with tertiary treatment and disinfection. The average daily design flow of the plant is 2,500 gallons per day.

At the time of inspection the plant was producing an effluent free of suspended solids, debris, and oil and grease. The following observations were noted:

1. The aeration plant was operating in a satisfactory manner.
2. The distribution box located adjacent to the surface sand filters was filled with a clear supernatant.
3. Both filter beds were covered with an excessive amount of sludge and leaves. Once the filters dry out the sludge, leaves and solids laden sand must be removed and replaced with clean sand. The dried sludge should be disposed of at a public disposal site. Assurances must be made that 18 inches of Ohio EPA approved filter sand exists on both beds. Ohio EPA approved filter sand has a uniformity coefficient that does not exceed 3.0 and an effective size of 0.4 mm - 1.0 mm. The sand must be raked and evenly distributed across the surface of the filter bed.

The referenced deficiencies should be corrected immediately.

A review of the Ohio EPA 4500 Monthly Operating Report (MOR) report forms for the period of September 2006 to August 2007 revealed the following effluent limitation violations:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	8/7/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	8/6/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	7/20/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	7/7/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	3.5	5/24/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	3.5	5/18/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	4.	5/11/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.2	5/8/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	5/1/2007

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Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00300	Dissolved Oxygen	1D Conc	6.0	5.	4/26/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	4/18/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	4/10/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	4.5	3/20/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	4.5	3/14/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	5.2	2/28/2007
001	00300	Dissolved Oxygen	1D Conc	6.0	4.5	11/17/2006
001	00530	Total Suspended Solids	7D Conc	18	19.	10/22/2006
001	00530	Total Suspended Solids	30D Conc	12	19.	10/1/2006
001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.5	10/1/2006

A review of the monthly operating reports for the same period revealed the following frequency violations:

Violation Date	Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported
8/8/2007	001	00300	Dissolved Oxygen	1/Week	1	0
6/15/2007	001	50060	Chlorine, Total Residual	1/2Weeks	1	0
3/1/2007	001	00300	Dissolved Oxygen	1/Week	1	0
2/8/2007	001	00300	Dissolved Oxygen	1/Week	1	0
2/1/2007	001	00300	Dissolved Oxygen	1/Week	1	0
1/15/2007	001	00300	Dissolved Oxygen	1/Week	1	0
1/1/2007	001	00530	Total Suspended Solids	1/Month	1	0
1/1/2007	001	00610	Nitrogen, Ammonia (NH3)	1/Month	1	0
1/1/2007	001	80082	CBOD 5 day	1/Month	1	0
1/1/2007	001	00300	Dissolved Oxygen	1/Week	1	0
12/22/2006	001	00300	Dissolved Oxygen	1/Week	1	0
12/15/2006	001	00300	Dissolved Oxygen	1/Week	1	0
12/8/2006	001	00300	Dissolved Oxygen	1/Week	1	0
12/1/2006	001	00530	Total Suspended Solids	1/Month	1	0
12/1/2006	001	80082	CBOD 5 day	1/Month	1	0
11/8/2006	001	00300	Dissolved Oxygen	1/Week	1	0
10/15/2006	001	00300	Dissolved Oxygen	1/Week	1	0
10/8/2006	001	00300	Dissolved Oxygen	1/Week	1	0
10/1/2006	001	50060	Chlorine, Total Residual	1/2Weeks	1	0
10/1/2006	001	00300	Dissolved Oxygen	1/Week	1	0
9/8/2006	001	00300	Dissolved Oxygen	1/Week	1	0
9/1/2006	001	50060	Chlorine, Total Residual	1/2Weeks	1	0
9/1/2006	001	00300	Dissolved Oxygen	1/Week	1	0

If the MOR frequency violation data is available, this office requires that you immediately resubmit the MOR data. When MOR data is submitted electronically, you should check the Ohio EPA Web site three days after submitting the data, to ensure that the MOR data was correctly downloaded via SWIMware to our system. If you would like additional information about SWIMware, please call the Help Line at (614) 644-2050, and support staff will return your call as soon as possible.

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In addition, this Agency has no record of receipt of MOR data for the months of September 2007 and October 2007. As stated in Part III of your NPDES permit, Ohio EPA 4500 report forms are to be received by this Agency no later than the 15th day of the month following the month-of-interest. If the monitoring data is submitted electronically, using Ohio EPA SWIMware software, the data must be submitted by the 20th day of the month following the month-of-interest.

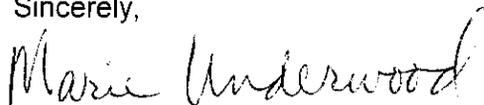
Be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting and compliance scheduling requirements of your NPDES permit may be cause for enforcement pursuant to Ohio Revised Code Chapter 6111.

Pursuant to Ohio Administrative Code 3745-7-09, effective December 21, 2006, this Agency requires the owner and operator of record of a wastewater treatment plant to maintain operation and maintenance records for the wastewater treatment plant. The records shall be housed on site and shall be accessible for twenty-four hour inspection. Some of the information that must be recorded includes the identification of the treatment works, date and times of arrival and departure for the operator of record, specific operation and maintenance activities that affect the quality or quantity of sewage or effluent produced, results of tests performed and samples taken, performance of preventative maintenance and repairs, and identification of the persons making the entries. In addition the administrative code requires any owner of a sewage treatment works who enters into a contract with a certified operator to maintain a copy of the contract onsite at the treatment works. Please carefully review Ohio Administrative Code 3745-7-09 for information on all requirements. The code can be accessed at: <http://www.epa.state.oh.us/dsw/rules/effectiverules.html>.

Within 10 days of the date of this letter, you are required to notify this office, in writing, outlining the corrective action, either actual or proposed, that will be taken to eliminate the above highlighted deficiencies.

Should you have any questions regarding this letter, please contact the undersigned at (330) 963-1183.

Sincerely,



Marie Underwood, P.E.
Environmental Engineer
Division of Surface Water

MU/mt

cc: Richard C. Grant, Calderon-Grant, Inc.