



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

January 2, 2009

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

NOTICE OF VIOLATION

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

Dear Mr. Barnes:

On December 30, 2008, this writer conducted a compliance evaluation inspection of the wastewater treatment plant that serves the Olde Towne Tavern. The purpose of the inspection was to evaluate the wastewater treatment plant's operation and maintenance condition, and to evaluate the facility's compliance with National Pollutant Discharge Elimination System (NPDES) permit effluent limits.

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 section was in satisfactory operation. The mixed liquor was chocolate brown in color.
2. The settling portion of the plant contained a turbid supernatant that contained activated sludge.
3. The distribution box located adjacent to the surface sand filters was filled with turbid water, containing sludge.
4. 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 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 Discharge Monitoring Reports (DMRs) for the period of September 2007 to November 2008 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	10/23/2007
001	80082	CBOD 5 day	30D Conc	10	12.	10/1/2008
001	00300	Dissolved Oxygen	1D Conc	6.0	5.	9/28/2008
001	00300	Dissolved Oxygen	1D Conc	6.0	5.5	11/6/2007

Mr. Ron Barnes
 Olde Towne Tavern
 January 2, 2009
 Page 2

A review of the DMRs for the same period revealed the following sampling frequency violations:

Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
001	00300	Dissolved Oxygen	1/Week	1	0	10/15/2007
001	00300	Dissolved Oxygen	1/Week	1	0	11/08/2007
001	00300	Dissolved Oxygen	1/Week	1	0	11/22/2007
001	00300	Dissolved Oxygen	1/Week	1	0	12/01/2007
001	00300	Dissolved Oxygen	1/Week	1	0	01/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	01/15/2008
001	00300	Dissolved Oxygen	1/Week	1	0	02/22/2008
001	00530	Total Suspended Solids	1/Month	1	0	03/01/2008
001	00610	Nitrogen, Ammonia-NH3	1/Month	1	0	03/01/2008
001	80082	CBOD 5 day	1/Month	1	0	03/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	03/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	03/08/2008
001	00300	Dissolved Oxygen	1/Week	1	0	03/15/2008
001	00300	Dissolved Oxygen	1/Week	1	0	03/22/2008
001	00300	Dissolved Oxygen	1/Week	1	0	04/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	04/22/2008
001	00300	Dissolved Oxygen	1/Week	1	0	05/22/2008
001	00300	Dissolved Oxygen	1/Week	1	0	06/15/2008
001	80082	CBOD 5 day	1/Month	1	0	07/01/2008
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	07/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	07/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	07/08/2008
001	00300	Dissolved Oxygen	1/Week	1	0	07/15/2008
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	08/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	08/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	08/08/2008
001	00300	Dissolved Oxygen	1/Week	1	0	08/15/2008
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	09/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	09/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	09/08/2008
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	10/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	10/01/2008
001	00300	Dissolved Oxygen	1/Week	1	0	10/15/2008

Also, a review of the DMRs shows that, at times, ammonia and chlorine residual concentrations are reported as zero. This is not the correct way to report the concentrations for these parameters. They should be reported using the applicable data substitution code (A Code). For concentrations that cannot be detected, the AA substitution code (constituting below detectable limit) should be used, while reporting the minimum detection limit for the test method in the comment section of the form.

Mr. Ron Barnes
Olde Towne Tavern
January 2, 2009
Page 3

In addition, this Agency has no record of receipt of DMR data for the months of September 2007, January 2008 and November 2008. 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, 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.

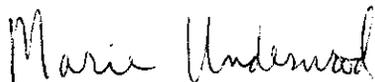
Pursuant to Ohio Administrative Code 3745-7-09, effective December 21, 2006, this Agency requires the owner and operator of record of a wastewater treatment plant to maintain operation and maintenance records for the wastewater treatment plant. The records shall be housed on site and shall be accessible for twenty-four hour inspection. The following information must be recorded and kept on site:

1. Identification of the sewage treatment works;
2. Date and times of arrival and departure for the operator of record and any other operator required by this chapter;
3. Specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of sewage conveyed or effluent produced;
4. Results of tests performed and samples taken, unless documented on a laboratory sheet;
5. Performance of preventative maintenance and repairs or requests for repair of the equipment that affect or have the potential to affect the quality or quantity of sewage conveyed, effluent produced; and
6. Identification of the persons making entries.

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

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