



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

December 2, 2009

RE: LAKE COUNTY
KIRTLAND
TROIS AMIS DBA KIRTLAND CITY TAVERN
NPDES PERMIT NO. OH0128767
OEPA PERMIT NO. 3PR00238

NOTICE OF VIOLATION

Ms. Deborah Loughner
Kirtland City Tavern
10015 Chillicothe Road
Kirtland, OH 44094

Dear Ms. Loughner:

On November 18, 2009, this writer, along with Terry Kent, R.S. of the Lake County General Health District, conducted a compliance evaluation inspection of the sewage treatment plant serving the Kirtland City Tavern was conducted by this office. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit and Director's Final Findings and Orders (DFFOs).

At the time of the inspection, operation and maintenance of the wastewater treatment plant was poor. The following observations were noted:

- The trash trap contained a portable pump that pumped the tanks contents through a flexible hose to the aeration tank. The tank's cover was not completely seated because of the flexible hose in the tank. This method of operation is not a part of the plant's approved design that was authorized by this agency.
- The settling tank wastewater content was very turbid.
- The plant has no disinfection facilities.
- The plant has no filtration facilities.
- The antiquated plant, constructed in 1964, is in a state of disrepair, and is unsafe. The trash trap cover is not seated securely because of the presence of the hose in the tank. The aeration tank gratings are not seated properly. The plant is not fenced in and access to the plant through the back is possible.

Your NPDES permit for the tavern requires the reporting of the majority of the parameters (ammonia, suspended solids, CBOD-5, fecal coliform, chlorine, dissolved oxygen) once per quarter; the reporting of color, odor and turbidity once per week; and flow once per month. A review of the Discharge Monitoring Reports (DMRs) that were submitted to this agency reveals that no effluent limitation violations or frequency sampling violations were reported for the period covering July 2009 through October 2009.

Ms. Deborah Loughner
Kirtland City Tavern
December 2, 2009
Page 2

The average daily design flow of the wastewater treatment plant (2,100 gpd) continues to be reported for the plant discharge flows. This is not acceptable. Acceptable methods for estimating flow, in order of preference include: 1) elapsed time meters on sand filter dosing pumps; 2) elapsed time meters on influent pumps; 3) water use records. Since this facility has no sand filter dosing pumps or influent pumps at this time, water use records should be used for estimating daily flow.

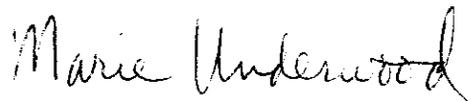
On October 22, 2008, this office received detailed design plans and a Permit-to-Install (PTI) application for the construction of plant improvements. On October 30, 2008, this agency issued a PTI for the construction of flow equalization, two new blowers for the aeration tank, a dosing chamber with dual submersible pumps, an elapsed time meter, surface sand filters, a distribution box, ultraviolet light disinfection, an aerated sampling chamber and sludge storage.

DFFOs, in the matter involving Trois Amis, Inc. and the Director of the Ohio Environmental Protection Agency, were journalized on May 8, 2008. Pursuant to Order 1b, Respondent, Trois Amis, Inc., was to have constructed within 5 months of the effective date of the Orders (i.e. by October 7, 2008) disinfection facilities for the wastewater treatment. Pursuant to Order 1c, Respondent was to have constructed within 12 months of the effective date of the orders (i.e. by May 8, 2009) a dosing chamber and surface sand filters. Construction of disinfection facilities, a dosing chamber and surface sand filters has not occurred. Trois Amis, Inc. is currently in violation of the DFFOs.

Because of your failure to meet the requirements of the DFFOs, this writer will recommend to the Division of Surface Water Enforcement Unit, escalated enforcement action.

Should you have questions, do not hesitate to contact this office at (330) 963-1183.

Sincerely,



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

MU/mt

cc: Terry Kent, R.S., Lake County General Health District
Karen A. Winters, Squire, Sanders & Dempsey, LLP