



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 22, 2008

RE: LAKE COUNTY
LEROY TOWNSHIP
BUNKY'S PUB
13526 PAINESVILLE-WARREN ROAD
NPDES PERMIT NO.3PR00380
APPLICATION NO. OH0134708

NOTICE OF VIOLATION

Mr. John McCluskey
722 Sherwood Drive
Madison, OH 44057

Dear Mr. McCluskey:

On December 11, 2008, this writer conducted a compliance evaluation inspection of the sewage treatment plant serving Bunky's Pub. 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 overall operation and maintenance of the plant was marginal. The following observations were noted:

- The content of the aeration tank was virtually clear. Little to no activated sludge solids was evident in the mixed liquor. Some foam was evident in the tank. Measures must be taken to increase the organic load in this plant.
- The settling tank content was turbid. Chunks of sludge were evident on the surface of the tank.
- The filter beds contained vegetation. The filter sand in the beds was not level. The vegetation and any solids laden sand must be removed from the beds. Each filter bed must contain 18 inches of Ohio EPA approved filter sand. Approved filter sand consists of clean and washed sand with an effective size between 0.4 and 1.0 mm and a uniformity coefficient not greater than 3.0. The filter sand must be raked and evenly distributed across the surface area of the bed. The filter beds must be routinely switched to maximize the performance of the filter beds.
- This plant has no dechlorinator. The NPDES permit residual chlorine effluent limit is 0.019 mg/l. A dechlorinator must be installed to meet this limit.
- Grass has previously grown into the aeration tank and settling tank. Once the weather permits, the grass should be cut back away from the tanks.

Mr. John McCluskey
 Bunky's Pub
 December 22, 2008
 Page 2

- The wastewater treatment plant is unsafe. Excessive clutter and debris around the plant makes it a safety hazard for anyone who must work and inspect this plant. Steps are needed to enter down into the plant.

These items must be corrected immediately.

A review of the discharge monitoring reports for Outfall 001, covering the period of September 2007 through November 2008 revealed the following effluent limitation violations:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00610	Nitrogen, Ammonia-NH3	30D Conc	3.0	8.12	3/1/2008
001	00610	Nitrogen, Ammonia-NH3	7D Conc	4.5	8.12	3/8/2008
001	00610	Nitrogen, Ammonia-NH3	30D Conc	1.0	9.24	6/1/2008
001	00610	Nitrogen, Ammonia-NH3	7D Conc	1.5	9.24	6/22/2008
001	00610	Nitrogen, Ammonia-NH3	30D Conc	1.0	9.38	8/1/2008
001	00610	Nitrogen, Ammonia-NH3	7D Conc	1.5	9.38	8/15/2008

The following frequency violations for the same time period were revealed:

Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
001	00083	Color, Severity	1/Week	1	0	09/01/2007
001	01330	Odor, Severity	1/Week	1	0	09/01/2007
001	01350	Turbidity, Severity	1/Week	1	0	09/01/2007

The flow value that is reported on the discharge monitoring reports is the average daily design flow of the wastewater treatment plant (i.e., 3500 gallons per day). This is an incorrect value to use and must cease. Acceptable methods for estimating daily flow at plants are, in order of preference, 1) elapsed time meters on sand filter dosing pumps; 2) elapsed time meters on influent pumps; or 3) water use records

Please be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting requirements of your NPDES permit may be cause for enforcement pursuant to the 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:

Mr. John McCluskey
Bunky's Pub
December 22, 2008
Page 3

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.

The current NPDES permit expires on July 31, 2009. Pursuant to Ohio Administrative Code 3745-33, NPDES permits must be renewed 180 days prior to the expiration date of the existing permit in order to continue to discharge to waters of the state. Please submit to this office, no later than January 31, 2009, a completed NPDES permit application (Forms 1, 2E and 2S), an Antidegradation Addendum and a \$200 check made payable to Treasurer, State of Ohio. The forms are enclosed for your convenience.

Also enclosed, as requested, is a copy of the Ohio EPA guidance document on the operation and maintenance of package plants.

Within 10 days of the date of this letter, you are directed 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, please contact the undersigned at (330) 963-1183.

Sincerely,



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

MU/mt

Enclosures