

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Krieski, Director

November 10, 2010

RE: LAKE COUNTY
PAINESVILLE TOWNSHIP
PERRY ONE STOP SUNOCO
2500 NORTH RIDGE ROAD
NPDES PERMIT NO. 3PR00471

NOTICE OF VIOLATION

Mr. Mike Rajko
29200 Euclid Avenue
Wickcliffe, OH 44092

Dear Mr. Rajko:

On November 3, 2010, this writer conducted a compliance evaluation inspection of the wastewater treatment plant that serves Perry One Stop. The purpose of the inspection was to evaluate the WWTP's operation and maintenance condition, and to evaluate the facility's compliance with National Pollutant Discharge Elimination System (NPDES) permit effluent limits.

Wastewater Treatment Plant Observations

At the time of inspection the extended aeration plant was not in operation. The blower's motor lay disassembled on the ground. Be advised that the discharge of untreated wastewater to waters-of-the-state is a violation of Ohio Revised Code 6111.04 that is subject to enforcement action. The plant must be returned to operation immediately.

A review of the discharge monitoring reports, covering the period July 2009 through September 2010 revealed the following effluent limitation violations:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00530	Total Suspended Solids	30D Conc	12	16.	12/1/2009
001	00610	Nitrogen, Ammonia (NH3)	30D Conc	3.0	7.2	12/1/2009
001	00610	Nitrogen, Ammonia (NH3)	1D Conc	4.5	7.2	12/31/2009
001	00530	Total Suspended Solids	30D Conc	12	19.	3/1/2010
001	00530	Total Suspended Solids	1D Conc	18	19.	3/31/2010
001	00530	Total Suspended Solids	30D Conc	12	58.	6/1/2010
001	31616	Fecal Coliform	30D Conc	1000	40000.	6/1/2010
001	80082	CBOD 5 day	30D Conc	10	34.	6/1/2010
001	00530	Total Suspended Solids	1D Conc	18	58.	6/29/2010
001	80082	CBOD 5 day	1D Conc	15	34.	6/29/2010

The following frequency violations were revealed:

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Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
001	00530	Total Suspended Solids	1/Quarter	1	0	08/01/2009
001	00610	Nitrogen, Ammonia (NH3)	1/Quarter	1	0	08/01/2009
001	31616	Fecal Coliform	1/Quarter	1	0	08/01/2009
001	80082	CBOD 5 day	1/Quarter	1	0	08/01/2009
001	50060	Chlorine, Total Residu	1/Quarter	1	0	08/01/2009
001	00300	Dissolved Oxygen	1/Quarter	1	0	08/01/2009
001	00530	Total Suspended Solids	1/Quarter	1	0	08/01/2010
001	00610	Nitrogen, Ammonia (NH3)	1/Quarter	1	0	08/01/2010
001	31616	Fecal Coliform	1/Quarter	1	0	08/01/2010
001	80082	CBOD 5 day	1/Quarter	1	0	08/01/2010
001	50060	Chlorine, Total Residu	1/Quarter	1	0	08/01/2010
001	00300	Dissolved Oxygen	1/Quarter	1	0	08/01/2010

The NPDES permit has a schedule of compliance for the upgrade of the wastewater treatment plant. A permit-to-install (PTI) application and detailed design plans were to have been submitted to this agency by March 1, 2008. By June 1, 2008 construction of the upgraded plant was to have commenced. By October 1, 2008 construction of the plant was to be completed. By November 1, 2008 the upgraded wastewater treatment plant was to attain operational level and meet the final effluent limitations of the NPDES permit.

This agency has not received the PTI application or design plans and construction has not commenced. You are currently in violation of the NPDES permit for Perry One Stop.

Your National Pollutant Discharge Elimination System (NPDES) permit requires the wastewater treatment plant to be operated by a Class I licensed wastewater treatment operator. The operator of record is responsible for overseeing the technical operation of the plant. Enclosed with this letter is an Operator of Record Notification Form. Please immediately complete the form and return it to this office. The form requires both the signatures of the owner and the operator of record.

Be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting or compliance schedule requirements of your NPDES permit may be cause for enforcement pursuant to the Ohio Revised Code Chapter 6111. Enforcement action may include a monetary penalty.

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 onsite and shall be accessible for twenty-four hour inspection. The following information must be recorded:

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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.

Please review the administrative code carefully for information on all requirements. Perry One Stop must immediately make provisions for onsite operation and maintenance records.

Please inform this office, in writing, within ten (10) days of receipt of this notification as to the reasons for the above referenced violations and deficiencies, as well as a description of the actions taken or proposed to prevent any further violations. Your response should include the dates, either actual or proposed, for completion of the actions.

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

Enclosure – Operator of Record Notification Form