



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

July 29, 2008

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

Mike Rajko
29200 Euclid Avenue
Wickliffe, OH 44092

Dear Mr. Rajko:

On July 24, 2008, 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.

At the time of inspection, all treatment units were in operation. The wastewater treatment plant consists of an extended aeration plant with an aeration tank and settling tank.

The following observations were noted:

- The aeration tank contained little activated sludge. The mixed liquor suspended solids content was weak. The return sludge line was weak. Consideration should be given to re-seeding the plant.
- The settling tank content was turbid.

A review of the discharge monitoring reports, covering the period November 2007 through April 2008, revealed no frequency violations.

This office does not have record of receipt of the discharge monitoring report for May 2008 and June 2008. Please immediately submit to this agency, the required discharge monitoring report data.

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 is to be completed. By November 1, 2008, the upgraded wastewater treatment plant is 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.

MIKE RAJKO
JULY 29, 2008
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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.

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:

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. The Holden Arboretum 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. Also, include the name, address and telephone number of the operator of record for this facility.

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:bo