



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

March 18, 2008

RE: CIRCLE RESTAURANT
3PR00120
PORTAGE COUNTY
DEERFIELD TOWNSHIP

CERTIFIED MAIL

Mr. Darryl Himler
Circle Restaurant
P.O. Box 128
Deerfield, OH 44411

Dear Mr. Himler:

Your facility has been identified as being in significant noncompliance for the time period of October 2007 through February 2008 by our compliance monitoring system. The following is a summary of those violations:

Numeric Violations

Permit: 3PR00120 Period: 10/1/2007 - 3/31/2008

Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	Dissolved Oxygen	1D Conc	6.0	5.3	10/9/2007
001	Dissolved Oxygen	1D Conc	6.0	5.8	10/18/2007
001	Total Suspended Solids	30D Conc	11.3	38.	1/1/2008
001	Total Suspended Solids	1D Conc	17	38.	1/2/2008
001	Total Suspended Solids	30D Conc	11.3	50.	2/1/2008
001	Total Suspended Solids	1D Conc	17	50.	2/5/2008
001	Nitrogen, Ammonia (NH3)	30D Conc	1.6	11.3	10/1/2007
001	Nitrogen, Ammonia (NH3)	1D Conc	2.6	11.3	10/2/2007
001	CBOD 5 day	30D Conc	9.3	19.	1/1/2008
001	CBOD 5 day	1D Conc	14	19.	1/2/2008
001	CBOD 5 day	30D Conc	9.3	13.	2/1/2008

In addition, our files do not contain noncompliance notifications as required in Part III, Section 12, except for the February 2008 violations. This is considered a separate violation of your permit. The explanation and course of corrective actions concerning the February 2008 violations is not satisfactory. We request that you provide a written response to address the above listed violations within 10 days of the receipt of this letter. The response should include a more detailed explanation for their occurrence and plans for returning to compliance as soon as possible. In addition we request that you provide copies of the operation and maintenance records for your wastewater treatment plant, as described in Ohio Administrative Code 3745-7-09, beginning with January 2007 to date.

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Please be advised that due to the above referenced noncompliance and your compliance history documented in letters dated September 5, 2006, April 2, 2007, and September 21, 2007 this office is considering pursuing an enforcement action in accordance with Ohio Revised Code 6111. An enforcement action may be initiated should your facility not maintain full compliance for the next three months. If you should have any questions concerning any of the above, feel free to contact this writer at (330) 963-1136.

Sincerely,



Philip P. Rhodes, P.E.
Environmental Engineer
Division of Surface Water

PPR/mt

cc: Toni Minor, Circle Restaurant, Owner
Brian S. Mosko, President, Valley Environmental Labs

File: Semi Public/ Circle Restaurant

3PR0012020080317

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CIRCLE RESTAURANT	
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