

**Environmental
Protection Agency**

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

June 2, 2010

RE: SUMMIT COUNTY
SPRINGFIELD TOWNSHIP
FIREHOUSE GRILLE & PUB
COMPLIANCE EVALUATION INSPECTION
NPDES NO. 3PR00439

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Tony Jaber
TJ Land Management
3560 Hubert Avenue
Mogadore, OH 44260

Dear Mr. Jaber:

On May 6, 2010, a Compliance Evaluation Inspection (CEI) was conducted at the wastewater treatment plant serving Firehouse Grille & Pub. The inspection was prompted after receiving a complaint from a neighbor concerning sewage overflowing the surface sand filters.

During the inspection, the following deficiencies were noted:

1. The wastewater treatment plant was quite odorous. A properly operating plant should have a musty odor.
2. The surface sand filter was flooded with partially treated wastewater. There was a sump pump present in the surface sand filter, which was pumping the wastewater off the sand filter, over to the disinfection tank. Bypassing of the surface sand filter is not permitted.
3. The esthetics around the plant grounds need improvement.

Upon speaking with the plant's technical operator, Robert Ernsberger, it is understood that the surface sand filters have the wrong specification of sand. The entire sand filter is being rehabilitated, and the proper sand is being installed. According to Mr. Ernsberger, in order for the plant to work properly, additional plant components are still needed: flow equalization, aerated sludge holding, and a second blower.

Please note that you are in violation of the compliance schedule in your National Pollutant Discharge Elimination System (NPDES) permit. According to the schedule, you were to have submitted a paid Permit to Install (PTI) application and detail engineering plans for the required wastewater treatment plant upgrade. The upgrade was to consist of, at a minimum, an aerated sludge holding tank and dechlorination facilities. According to the compliance schedule, construction of the upgrade was to be completed by April 1, 2008. And, after speaking with Mr. Ernsberger, it appears that flow equalization and a second blower are also necessary.

Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087-1924

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

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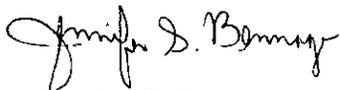
Review of your plant's DMRs (discharge monitoring reports) from January 2010 through May 2010 revealed no effluent violations. This office appreciates that you have now been properly submitting the DMRs which are required by your NPDES permit.

But, please be advised that failure to adequately operate and maintain your wastewater treatment plant, and failure to comply with the compliance schedule in your NPDES permit are cause for enforcement action pursuant to Chapter 6111 of the Ohio Revised Code. If enforcement proceeds, not only would the plant upgrade still be required, but a civil monetary penalty usually is required.

By, June 14, 2010, it is directed that you send Ohio EPA's Northeast District Office a written, proposed time-frame to submit the PTI and detail plans for the plant upgrade. Four sets of detail plans of the wastewater treatment plant upgrade must be prepared and stamped by a Professional Engineer and submitted to this office. The detail plans will be forwarded to the Director's Office with our recommendations. The Professional Engineer preparing the plans shall also be responsible for overseeing the installation of the system. Your contract with the engineer must include inspection during construction. In accordance with the Ohio Revised Code Section 6111.44 you must receive formal approval from the Director's Office prior to construction.

The enclosed Plan Approval Procedures must be followed. All fees, applications, and data sheets must be completed and included with the submission of detail plans before the plans can be processed for approval. Should you have any questions concerning this letter, please contact this office at (330) 963-1151.

Sincerely,



Jennifer S. Bennage
Environmental Engineer
Division of Surface Water

JSB/mt

Enclosures

cc: Bob Hasenyager, Summit County Health Dept.
Dana Eldredge, Firehouse Grille & Pub
Robert Ernsberger

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