



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

July 13, 2009

RE: SUMMIT COUNTY
CITY OF GREEN
PANCHO'S SOUTHWESTERN GRILLE
4325 MASSILLON ROAD

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Maury Sullivan
Pancho's Southwestern Grille
4325 Massillon Road
N. Canton, OH 44720-1141

Dear Mr. Sullivan:

On July 7, 2009, this office conducted an operation and maintenance inspection at the wastewater treatment system serving Pancho's. The reason for the inspection was that this office has received citizen complaints concerning odors and concerning the fact that the sand filters continue to overflow onto Massillon Road.

During the inspection, the wastewater treatment plant was in extremely poor operating condition. The plant was very odorous, and one side of the sand filter appeared to be clogged (or draining extremely slowly) with green algae covered wastewater. Also, there was evidence of wastewater overflow from the filters onto the ground of your property and out into Massillon Road.

Please be advised that a discharge of inadequately treated wastewater is a violation of Chapter 6111 of the Ohio Revised Code. In addition, an inadequately treated discharge could pose health concerns.

Upon review of your Discharge Monitoring Reports (DMRs) for July 2008 to July 2009, the following effluent violations were noted:

Permit No	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
3PR00486*AD	001	Dissolved Oxygen	1D Conc	6.0	3.6	12/9/2008
3PR00486*AD	001	Total Suspended Solids	30D Conc	12	17.	3/1/2009
3PR00486*AD	001	Dissolved Oxygen	1D Conc	6.0	1.	3/31/2009

It is directed you immediately hire a septic company, certified with the Summit County Health Department, to pump the wastewater from the surface sand filters and the ground. The hauler would then take the wastewater to an Ohio EPA permitted POTW

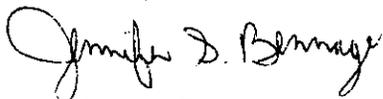
Mr. Maury Sullivan
Pancho's Southwestern Grille
July 13, 2009
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(Publicly Owned Treatment Works). Until the surface sand filters are formally refurbished, it is strongly recommended the sand filters be pumped as often as it takes so that they don't overflow. It is directed you submit pumping receipts to my attention at this office weekly until the problem with the surface sand filters is solved.

Furthermore, you are in violation of the compliance schedule contained in your National Pollutant Discharge Elimination System (NPDES) permit. According to the compliance schedule, detail engineering plans were to be submitted to Ohio EPA for a sanitary sewer extension or a wastewater treatment plant upgrade by February 2009. Construction of either the sewer extension or plant upgrade was to be completed by June 2009. To date, this office has not received detail plans of either option.

It is directed you send this office a written explanation to the reasons for non-compliance with your NPDES permit's compliance schedule. Furthermore, this office would like to meet with you and your technical operator concerning operation and maintenance of the plant. If you have any questions, please contact this office at (330) 963-1151.

Sincerely,



Jennifer S. Bennage
Environmental Engineer
Division of Surface Water

JSB/mt

cc: Dave Marquard, Summit County D.O.E.S.
Paul Pickett, City of Green Engineer
City of Green Zoning
Tom LaPlante, Summit County Health Dept.
Ryan Pruett, Summit County Health Dept.
Fred Rothwell, Humbert Sanitary Service

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1. Article Addressed to:

MAURY SULLIVAN
 PANCHO'S SOUTHWESTERN GRILLE
 4325 MASSILLON ROAD
 N CANTON OH 44720-1141

2. Article Number 7004 2510 0002 4075 0049 (BENNAGE 6/27/08)
 (Transfer from service label)

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 X *Malinda Malott* Addressee

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1. Article Addressed to:

Mr. Maury Sullivan
 Pancho's Southwestern Grille
 4325 Massillon Road
 N. Canton, OH 44720-1141

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