



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 12, 2008

RE: SUMMIT COUNTY  
BOSTON HEIGHTS  
FODOR'S COUNTRY INN –  
TEQUILA PONCHOS  
5893 AKRON-CLEVELAND ROAD  
CEI INSPECTION  
OHIO EPA NO. 3PR00086\*DD

CERTIFIED MAIL

Mr. Benjamin Gregory  
5893 Akron-Cleveland Road  
Boston Heights, OH 44236

Dear Mr. Gregory:

On March 10, 2008, a Compliance Evaluation Inspection (CEI) was conducted at the wastewater treatment plant serving Fodor's Country Inn – Tequila Ponchos. During the inspection, the plant was running and appeared to be in satisfactory condition. One noted problem was that the distribution box to the surface sand filter is missing. This must be replaced as soon as possible.

Review of the self monitoring reports from January 2004 through January 2008 revealed the following numeric effluent violations:

Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.3	8/1/2004
001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.4	6/1/2004
001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	6.6	6/1/2005
001	Nitrogen, Ammonia (NH3)	7D Conc	1.5	6.6	6/8/2005
001	Nitrogen, Ammonia (NH3)	30D Qty	0.01	.02498	6/1/2005
001	Nitrogen, Ammonia (NH3)	7D Qty	0.01	.02498	6/8/2005
001	Dissolved Oxygen	1D Conc	6.0	5.3	6/14/2005
001	Dissolved Oxygen	1D Conc	6.0	5.7	12/2/2006
001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.2	8/1/2007

Please be advised such instances of noncompliance are subject to enforcement pursuant to ORC 6111.

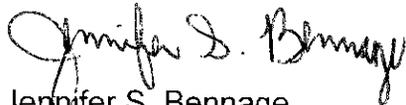
Furthermore, our files indicate that your wastewater treatment plant has an expired National Pollutant Discharge Elimination System (NPDES) Permit. Pursuant to state and federal laws, facilities that discharge pollutants to "Waters of the State" must obtain an NPDES permit from Ohio EPA for such discharges. NPDES permits must be renewed every 5 years.

Mr. Benjamin Gregory  
Fodor's Country Inn – Tequila Ponchos  
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In order to avoid enforcement action, it is directed you complete and submit two copies of the enclosed General Form 1 and 2E applications and the Antidegradation Addendum to this office by April 14, 2008. Ohio Revised Code 3745.11 requires that a non-refundable application fee of \$200 accompany the application. The check should be made payable to "Treasurer, State of Ohio". Failure to submit the paid application may result in this office escalating enforcement, and we may recommend that the Summit County Health Department re-evaluate the issuance of your food service license.

Your technical operator should be familiar with completing the NPDES application forms. But, 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

enclosures

cc: Paul Header, Technical Operator, Header Maintenance  
Tom LaPlante, Summit County Health Dept.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 BENJAMIN GREGORY  
 5893 AKRON-CLEVELAND ROAD  
 BOSTON HEIGHTS OH 44236

**COMPLETE THIS SECTION ON DELIVERY**

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 X *Kathy N. New*  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
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4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number 7004 2510 0002 4075 1114 (BENNAGE 3/12/08)  
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PS Form 3811, February 2004

Domestic Return Receipt

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Sent To	BENJAMIN GREGORY
Street, Apt. No., or PO Box No.	FODOR'S COUNTRY INN
City, State, ZIP+4	TEQUILA PONCHOS

PS Form 3800, June 2002 See Reverse for Instructions