



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

March 5, 2008

RE: TRUMBULL COUNTY
SOUTHINGTON TOWNSHIP
HALFWAY RESTAURANT
NPDES PERMIT NO. OH0128473
OHIO EPA PERMIT NO. 3PR00227

Mrs. Iwona Kulacz
Halfway Restaurant
4401 Route 422
Southington, OH 44470

Dear Mrs. Kulacz:

An inspection was conducted by Mr. Steve Kramer of the Trumbull County Health Department and the undersigned of the sanitary wastewater treatment plant serving Halfway Restaurant on February 5, 2008. The purpose of the inspection was to determine the status of the operational improvements implemented by Valley Environmental Labs, Inc. The existing permit, which expired on October 31, 2004, has not been renewed due to historical noncompliance issues.

Agency records indicate that the treatment system, authorized for installation in 1999, discharges to an unnamed tributary of Grand River. The system consists of a 750 gallon trash trap, a sequencing batch reactor (SBR) treatment plant, dual-unit surface sand filter, and chlorination/dechlorination contact tank. A blower unit was added by Valley to the system in an effort to improve treatment performance and system reliability.

Inspection Findings/Compliance Status:

At the time of the inspection, the operation and maintenance of the treatment system was unsatisfactory. As evidenced by the enclosed pictures, the facility had apparently experienced an upset condition, resulting in the "flooding" of the aeration compartment. A telephone call was made to your contact operator, Valley Environmental Labs, to apprise them of the situation.

A review of the facility's discharge monitoring reports (DMRs) received by Ohio EPA for the period July 2006 through January 2008 indicate violations of the terms and conditions of the NPDES permit. Specifically, the review noted the following violations of the numeric effluent limitations contained in the permit:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
March 2007	001	CBOD 5 day	30D Conc	10	10.6	3/1/2007
June 2007	001	CBOD 5 day	30D Conc	10	13.	6/1/2007
June 2007	001	CBOD 5 day	7D Conc	15	22.	6/1/2007
March 2007	001	Dissolved Oxygen	1D Conc	6.0	4.5	3/8/2007
March 2007	001	Dissolved Oxygen	1D Conc	6.0	3.	3/21/2007
August 2006	001	Dissolved Oxygen	1D Conc	6.0	4.3	8/1/2006

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
December 2006	001	Dissolved Oxygen	1D Conc	6.0	4.	12/4/2006
December 2007	001	Dissolved Oxygen	1D Conc	6.0	5.3	12/18/2007
March 2007	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	10.795	3/1/2007
August 2006	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	17.8	8/1/2006
December 2006	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	8.8	12/1/2006
June 2007	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	8.06	6/1/2007
March 2007	001	Nitrogen, Ammonia (NH3)	30D Qty	0.003	.00759	3/1/2007
August 2006	001	Nitrogen, Ammonia (NH3)	30D Qty	0.001	.00977	8/1/2006
December 2006	001	Nitrogen, Ammonia (NH3)	30D Qty	0.003	.00669	12/1/2006
June 2007	001	Nitrogen, Ammonia (NH3)	30D Qty	0.001	.0049	6/1/2007
March 2007	001	Nitrogen, Ammonia (NH3)	7D Conc	4.5	8.59	3/8/2007
March 2007	001	Nitrogen, Ammonia (NH3)	7D Conc	4.5	13.	3/15/2007
August 2006	001	Nitrogen, Ammonia (NH3)	7D Conc	1.5	17.8	8/1/2006
December 2006	001	Nitrogen, Ammonia (NH3)	7D Conc	4.5	8.8	12/1/2006
June 2007	001	Nitrogen, Ammonia (NH3)	7D Conc	1.5	7.89	6/1/2007
June 2007	001	Nitrogen, Ammonia (NH3)	7D Conc	1.5	8.23	6/22/2007
March 2007	001	Nitrogen, Ammonia (NH3)	7D Qty	0.004	.00562	3/8/2007
March 2007	001	Nitrogen, Ammonia (NH3)	7D Qty	0.004	.00955	3/15/2007
August 2006	001	Nitrogen, Ammonia (NH3)	7D Qty	0.002	.00977	8/1/2006
December 2006	001	Nitrogen, Ammonia (NH3)	7D Qty	0.004	.00669	12/1/2006
June 2007	001	Nitrogen, Ammonia (NH3)	7D Qty	0.002	.00481	6/1/2007
June 2007	001	Nitrogen, Ammonia (NH3)	7D Qty	0.002	.00498	6/22/2007
June 2007	001	Total Suspended Solids	30D Conc	12	20.5	6/1/2007
June 2007	001	Total Suspended Solids	30D Qty	0.01	.01248	6/1/2007
March 2007	001	Total Suspended Solids	7D Conc	18	23.	3/15/2007
June 2007	001	Total Suspended Solids	7D Conc	18	34.	6/1/2007
June 2007	001	Total Suspended Solids	7D Qty	0.02	.02072	6/1/2007

In addition to the above, our review of the facility's data reporting procedures noted the following:

1. We understand that Valley Environmental has been routinely submitting monthly operating reports for the facility. Pursuant to Part III of the NPDES permit, all reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22. As such, reports can only be signed and certified by a corporate officer, general partner, proprietor, or by a duly authorized representative of said individual. Pursuant to 40 CFR 122.22 (b):

A person is a duly authorized representative only if:

- (1) ***The authorization is made in writing by a person described in paragraph (a) of this section;***

Mrs. Iwona Kulacz
Halfway Restaurant
March 5, 2008
Page 3

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

(3) The written authorization is submitted to the Director.

2. Pursuant to Ohio Administrative Code (OAC) 3745-7- 02, you are required to have a contract with your certified operator. At a minimum, the contract shall specify that the certified operator be available to respond to emergencies and provide the daily services (i.e. **inspection, monitoring, maintenance, and supervision**) necessary to maintain the reliable operation of the wastewater works. Signatory authority required pursuant to 40 CFR 122.22 (b) may be addressed under the terms of the contract for submission of Monthly Operating Reports. A copy of the signed contract must be submitted to this office.

Summary/Conclusion

Please be advised that failure to comply with the terms and conditions of your NPDES permit may be subject to enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code. Such actions can result in fines of up to \$10,000 per day of violation. Please inform this office, in writing, within 10 days of receipt of this notification as to the actions taken or proposed to address the above violation and/or deficiencies. Your response **shall** include specific dates for completion of the actions. Please be advised that past or present issues of noncompliance can continue as subjects of future enforcement actions by Ohio EPA.

Should you have any questions or comments regarding this letter, please contact this office.

Respectfully,



Ermelindo Gomes
Environmental Engineer
Division of Surface Water

EG/mt

cc: Steve Kramer, Trumbull County Health Dept.