



State of Ohio Environmental Protection Agency

Northeast District Office

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

December 24, 2008

RE: TRUMBULL COUNTY  
VIENNA TOWNSHIP  
YANKEE KITCHEN RESTAURANT  
484 YOUNGSTOWN-KINGSVILLE ROAD  
NPDES PERMIT NO.OH0117625  
OHIO EPA PERMIT NO. 3PR00165

Mr. Nick Raptis  
Yankee Kitchen Restaurant  
484 Youngstown-Kingsville Road  
Vienna, Ohio 44473

Dear Mr. Raptis:

On November 25, 2008, an inspection was conducted by the undersigned of the sanitary wastewater treatment plant serving the above referenced facility. The facility was represented by your contract operator, Mr. Scott Mascioli. The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the above-referenced National Pollutant Discharge Elimination System (NPDES) permit.

The current 2,800 gallon/day treatment system consists of a flow equalization basin, extended aeration activated sludge "package" plant, final settling tank, slow surface sand filtration, sludge holding, and chlorination/dechlorination.

At the time of the inspection, all treatment units appeared to be in operation. The final effluent being discharged to the roadside ditch appeared to be of satisfactory visual quality. However, a distinct odor was evident, mostly notably around the area of the EQ basin. Due to the proximity of the system to the restaurant, appropriate measures, e.g. use of an "odor block", should be implemented to alleviate this problem.

A review of the facility's monthly operating reports received by Ohio EPA for the period September 2007 through November 2008 indicate violations of the numeric effluent limitations of the NPDES permit. The specific instances of noncompliance are as follows:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
September 2007	001	Fecal Coliform	30D Conc	1000	1700.	9/1/2007
January 2008	001	Nitrogen, Ammonia (NH3)	30D Conc	4.5	4.51	1/1/2008
May 2008	001	Total Suspended Solids	30D Conc	12	17.	5/1/2008



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In addition to the above, our review noted continued violations of the daily monitoring requirements, e.g. color, odor, turbidity, contained in the NPDES permit:

Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
September 2007	001	pH	1/Month	1	0	09/01/2007
September 2007	001	Color, Severity	1/Day	1	0	09/05/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/05/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/05/2007
September 2007	001	Color, Severity	1/Day	1	0	09/06/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/06/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/06/2007
September 2007	001	Color, Severity	1/Day	1	0	09/07/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/07/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/07/2007
September 2007	001	Color, Severity	1/Day	1	0	09/11/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/11/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/11/2007
September 2007	001	Color, Severity	1/Day	1	0	09/12/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/12/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/12/2007
September 2007	001	Color, Severity	1/Day	1	0	09/13/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/13/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/13/2007
September 2007	001	Color, Severity	1/Day	1	0	09/14/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/14/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/14/2007
September 2007	001	Color, Severity	1/Day	1	0	09/18/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/18/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/18/2007
September 2007	001	Color, Severity	1/Day	1	0	09/19/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/19/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/19/2007
September 2007	001	Color, Severity	1/Day	1	0	09/20/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/20/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/20/2007
September 2007	001	Color, Severity	1/Day	1	0	09/21/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/21/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/21/2007
September 2007	001	Color, Severity	1/Day	1	0	09/25/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/25/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/25/2007
September 2007	001	Color, Severity	1/Day	1	0	09/26/2007

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Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
September 2007	001	Odor, Severity	1/Day	1	0	09/26/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/26/2007
September 2007	001	Color, Severity	1/Day	1	0	09/27/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/27/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/27/2007
September 2007	001	Color, Severity	1/Day	1	0	09/28/2007
September 2007	001	Odor, Severity	1/Day	1	0	09/28/2007
September 2007	001	Turbidity, Severity	1/Day	1	0	09/28/2007
October 2007	001	pH	1/Month	1	0	10/01/2007
November 2007	001	Color, Severity	1/Day	1	0	11/06/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/06/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/06/2007
November 2007	001	Color, Severity	1/Day	1	0	11/20/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/20/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/20/2007
November 2007	001	Color, Severity	1/Day	1	0	11/21/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/21/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/21/2007
November 2007	001	Color, Severity	1/Day	1	0	11/23/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/23/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/23/2007
November 2007	001	Color, Severity	1/Day	1	0	11/27/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/27/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/27/2007
November 2007	001	Color, Severity	1/Day	1	0	11/28/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/28/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/28/2007
November 2007	001	Color, Severity	1/Day	1	0	11/29/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/29/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/29/2007
November 2007	001	Color, Severity	1/Day	1	0	11/30/2007
November 2007	001	Odor, Severity	1/Day	1	0	11/30/2007
November 2007	001	Turbidity, Severity	1/Day	1	0	11/30/2007
January 2008	001	Flow Rate	1/Day	1	0	01/01/2008
January 2008	001	Color, Severity	1/Day	1	0	01/03/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/03/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/03/2008
January 2008	001	Color, Severity	1/Day	1	0	01/04/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/04/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/04/2008
January 2008	001	Color, Severity	1/Day	1	0	01/09/2008

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Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
January 2008	001	Turbidity, Severity	1/Day	1	0	01/09/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/10/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/11/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/13/2008
January 2008	001	Color, Severity	1/Day	1	0	01/14/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/16/2008
January 2008	001	Color, Severity	1/Day	1	0	01/18/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/18/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/18/2008
January 2008	001	Color, Severity	1/Day	1	0	01/22/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/22/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/22/2008
January 2008	001	Color, Severity	1/Day	1	0	01/23/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/23/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/23/2008
January 2008	001	Color, Severity	1/Day	1	0	01/24/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/24/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/24/2008
January 2008	001	Color, Severity	1/Day	1	0	01/25/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/25/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/25/2008
January 2008	001	Color, Severity	1/Day	1	0	01/29/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/29/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/29/2008
January 2008	001	Color, Severity	1/Day	1	0	01/30/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/30/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/30/2008
January 2008	001	Color, Severity	1/Day	1	0	01/31/2008
January 2008	001	Odor, Severity	1/Day	1	0	01/31/2008
January 2008	001	Turbidity, Severity	1/Day	1	0	01/31/2008
February 2008	001	Color, Severity	1/Day	1	0	02/01/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/01/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/01/2008
February 2008	001	Color, Severity	1/Day	1	0	02/05/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/05/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/05/2008
February 2008	001	Color, Severity	1/Day	1	0	02/06/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/06/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/06/2008
February 2008	001	Color, Severity	1/Day	1	0	02/07/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/07/2008

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Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
February 2008	001	Turbidity, Severity	1/Day	1	0	02/07/2008
February 2008	001	Color, Severity	1/Day	1	0	02/08/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/08/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/08/2008
February 2008	001	Color, Severity	1/Day	1	0	02/12/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/12/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/12/2008
February 2008	001	Color, Severity	1/Day	1	0	02/13/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/13/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/13/2008
February 2008	001	Color, Severity	1/Day	1	0	02/14/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/14/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/14/2008
February 2008	001	Color, Severity	1/Day	1	0	02/15/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/15/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/15/2008
February 2008	001	Color, Severity	1/Day	1	0	02/19/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/19/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/19/2008
February 2008	001	Color, Severity	1/Day	1	0	02/20/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/20/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/20/2008
February 2008	001	Color, Severity	1/Day	1	0	02/21/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/21/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/21/2008
February 2008	001	Color, Severity	1/Day	1	0	02/22/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/22/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/22/2008
February 2008	001	Color, Severity	1/Day	1	0	02/26/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/26/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/26/2008
February 2008	001	Color, Severity	1/Day	1	0	02/27/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/27/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/27/2008
February 2008	001	Color, Severity	1/Day	1	0	02/28/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/28/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/28/2008
February 2008	001	Color, Severity	1/Day	1	0	02/29/2008
February 2008	001	Odor, Severity	1/Day	1	0	02/29/2008
February 2008	001	Turbidity, Severity	1/Day	1	0	02/29/2008
March 2008	001	Color, Severity	1/Day	1	0	03/04/2008

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Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2008	001	Odor, Severity	1/Day	1	0	03/04/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/04/2008
March 2008	001	Color, Severity	1/Day	1	0	03/05/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/05/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/05/2008
March 2008	001	Color, Severity	1/Day	1	0	03/06/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/06/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/06/2008
March 2008	001	Color, Severity	1/Day	1	0	03/07/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/07/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/07/2008
March 2008	001	Color, Severity	1/Day	1	0	03/11/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/11/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/11/2008
March 2008	001	Color, Severity	1/Day	1	0	03/12/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/12/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/12/2008
March 2008	001	Color, Severity	1/Day	1	0	03/13/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/13/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/13/2008
March 2008	001	Color, Severity	1/Day	1	0	03/14/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/14/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/14/2008
March 2008	001	Color, Severity	1/Day	1	0	03/18/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/18/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/18/2008
March 2008	001	Color, Severity	1/Day	1	0	03/19/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/19/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/19/2008
March 2008	001	Color, Severity	1/Day	1	0	03/20/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/20/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/20/2008
March 2008	001	Color, Severity	1/Day	1	0	03/21/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/21/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/21/2008
March 2008	001	Color, Severity	1/Day	1	0	03/25/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/25/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/25/2008
March 2008	001	Color, Severity	1/Day	1	0	03/26/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/26/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/26/2008

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Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
March 2008	001	Color, Severity	1/Day	1	0	03/27/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/27/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/27/2008
March 2008	001	Color, Severity	1/Day	1	0	03/28/2008
March 2008	001	Odor, Severity	1/Day	1	0	03/28/2008
March 2008	001	Turbidity, Severity	1/Day	1	0	03/28/2008
April 2008	001	Color, Severity	1/Day	1	0	04/09/2008
April 2008	001	Odor, Severity	1/Day	1	0	04/09/2008
April 2008	001	Turbidity, Severity	1/Day	1	0	04/09/2008
April 2008	001	Color, Severity	1/Day	1	0	04/15/2008
April 2008	001	Odor, Severity	1/Day	1	0	04/15/2008
April 2008	001	Turbidity, Severity	1/Day	1	0	04/15/2008
April 2008	001	Color, Severity	1/Day	1	0	04/21/2008
April 2008	001	Odor, Severity	1/Day	1	0	04/21/2008
April 2008	001	Turbidity, Severity	1/Day	1	0	04/21/2008
May 2008	001	Color, Severity	1/Day	1	0	05/05/2008
May 2008	001	Odor, Severity	1/Day	1	0	05/05/2008
May 2008	001	Turbidity, Severity	1/Day	1	0	05/05/2008
May 2008	001	Color, Severity	1/Day	1	0	05/16/2008
May 2008	001	Odor, Severity	1/Day	1	0	05/16/2008
May 2008	001	Turbidity, Severity	1/Day	1	0	05/16/2008
May 2008	001	Color, Severity	1/Day	1	0	05/20/2008
May 2008	001	Odor, Severity	1/Day	1	0	05/20/2008
May 2008	001	Turbidity, Severity	1/Day	1	0	05/20/2008
June 2008	001	Color, Severity	1/Day	1	0	06/12/2008
June 2008	001	Odor, Severity	1/Day	1	0	06/12/2008
June 2008	001	Turbidity, Severity	1/Day	1	0	06/12/2008
June 2008	001	Color, Severity	1/Day	1	0	06/25/2008
June 2008	001	Odor, Severity	1/Day	1	0	06/25/2008
June 2008	001	Turbidity, Severity	1/Day	1	0	06/25/2008
June 2008	001	Turbidity, Severity	1/Day	1	0	06/28/2008
June 2008	001	Turbidity, Severity	1/Day	1	0	06/29/2008
July 2008	001	Color, Severity	1/Day	1	0	07/08/2008
July 2008	001	Odor, Severity	1/Day	1	0	07/08/2008
July 2008	001	Turbidity, Severity	1/Day	1	0	07/08/2008
July 2008	001	Color, Severity	1/Day	1	0	07/17/2008
July 2008	001	Odor, Severity	1/Day	1	0	07/17/2008
July 2008	001	Turbidity, Severity	1/Day	1	0	07/17/2008
July 2008	001	Color, Severity	1/Day	1	0	07/23/2008
July 2008	001	Odor, Severity	1/Day	1	0	07/23/2008
July 2008	001	Turbidity, Severity	1/Day	1	0	07/23/2008

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Reporting Period	Station	Parameter	Sample Frequency	Expected	Reported	Violation Date
July 2008	001	Color, Severity	1/Day	1	0	07/24/2008
July 2008	001	Odor, Severity	1/Day	1	0	07/24/2008
July 2008	001	Turbidity, Severity	1/Day	1	0	07/24/2008
August 2008	001	Color, Severity	1/Day	1	0	08/01/2008
August 2008	001	Odor, Severity	1/Day	1	0	08/01/2008
August 2008	001	Turbidity, Severity	1/Day	1	0	08/01/2008
September 2008	001	Color, Severity	1/Day	1	0	09/12/2008
September 2008	001	Odor, Severity	1/Day	1	0	09/12/2008
September 2008	001	Turbidity, Severity	1/Day	1	0	09/12/2008
September 2008	001	Color, Severity	1/Day	1	0	09/23/2008
September 2008	001	Odor, Severity	1/Day	1	0	09/23/2008
September 2008	001	Turbidity, Severity	1/Day	1	0	09/23/2008
September 2008	001	Color, Severity	1/Day	1	0	09/24/2008
September 2008	001	Odor, Severity	1/Day	1	0	09/24/2008
September 2008	001	Turbidity, Severity	1/Day	1	0	09/24/2008
September 2008	001	Color, Severity	1/Day	1	0	09/25/2008
September 2008	001	Odor, Severity	1/Day	1	0	09/25/2008
September 2008	001	Turbidity, Severity	1/Day	1	0	09/25/2008

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.

In addition to the above, please be advised of the following new requirements that affect the recordkeeping and data reporting procedures for the facility:

- Ohio EPA has recently revised the electronic data reporting process, including the assignment of Personal Identification Numbers (PINs), to comply with new federal regulations. Information regarding this new process is available at:

<http://www.epa.state.oh.us/dsw/swims/eDMR/eDMR.html>

Pursuant to Part III, Item 28 of your NPDES permit, "all reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR 122.22". 40 CFR 122.22 (a) states that reports, including electronic

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submissions using eDMR, for a facility can only be signed and certified by the facility owner(s) or by a duly authorized representative of said individual(s). Delegations of authority must be made in writing to the Director of Ohio EPA.

- Pursuant to the new recordkeeping requirements contained in Ohio Administrative Code (OAC) 3745-7-09, specific operation and maintenance records of the treatment system must now be kept on file at the facility. The complete Operator Certification rules are available online at:

<http://www.epa.state.oh.us/ddagw/oac.html>.

Should you have any questions or comments regarding this letter, please contact me at (330) 963-1196.

Respectfully,



Ermelindo Gomes  
Environmental Engineer  
Division of Surface Water

EG/mt

cc: Rich Curl, Trumbull County Health Department  
Scott Mascioli

File: Semipublic/Trumbull County/Vienna Twp./Yankee Kitchen Restaurant