

**Environmental  
Protection Agency**

**Governor  
Lt. Governor  
Director**

November 14, 2011

RE: LAKE COUNTY  
MADISON TOWNSHIP  
YOGI'S PLACE  
NPDES PERMIT NO. 3PR00201

**NOTICE OF VIOLATION**

Jim Tylec  
7924 North Ridge Road  
Madison, OH 44057

Dear Mr. Tylec:

On November 1, 2011, this writer conducted a Reconnaissance Inspection of the wastewater treatment facility serving Yogi's Place. The purpose of the inspection was to evaluate the facility's compliance with the National Pollutant Discharge Elimination System (NPDES) permit. Specifically, the inspection was to determine compliance with the staffing and record keeping requirements and responsibilities of the certified operator as stated in Part II of the NPDES permit and as outlined in Ohio Administrative Code (OAC) 3745-07, during the period of September 4, 2011 through September 17, 2011.

On the day of inspection, this writer was unable to locate an operation and maintenance records book. Also, in letters dated 7/27/07 and 8/27/08 this writer notified you that an operation and maintenance records book is required but was not found onsite. These are violations of OAC 3745-33 for not meeting the conditions of your NPDES permit, OAC 3745-07-04 for not meeting minimum staffing hour requirements, and OAC 3745-07-09 for not maintaining an operation and maintenance log book. These violations are subject to enforcement action that may include a monetary penalty.

The wastewater treatment facility serving Yogi's Place is classified as a Class A wastewater treatment works. Pursuant to OAC 3745-07-04 (C), a Class A wastewater treatment works must be staffed with an operator of record two days per week for a minimum of one hour per week. The operator of record must be physically present at the wastewater treatment works for this length of time. All current operators of record must be reported to Ohio EPA, using the Operator of Record Notification Form. Ohio EPA must be notified when any former operator of record is no longer acting in that capacity by using the notification form. Pursuant to OAC 3745-07-02(D) if the owner of a treatment works enters into a contract for the services of a certified operator to serve as the operator of record of a treatment works, a copy of the contract must be maintained onsite at the treatment works.

OAC 3745-07-09 (A) requires the owner and operator of record of the treatment works to maintain or cause to be maintained operation and maintenance records for each

public wastewater treatment facility. Some of the formats in which the records may be maintained include, but are not limited to, hard bound books with consecutive page numbering, time cards, separate operation and maintenance records, or well organized computer logs. The records shall be accessible onsite for twenty-four hour inspection by agency or emergency response personnel. The records shall be housed and maintained in such a manner as to be protected from weather damage and guarantee the authenticity and accuracy of the records contained within.

At a minimum, the following information must be recorded:

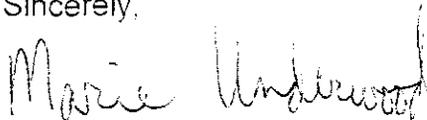
1. Identification of the sewage treatment works;
2. Date and times of arrival and departure for the operator of record and any other operator required by this chapter;
3. Specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of sewage conveyed or effluent produced;
4. Results of tests performed and samples taken, unless documented on a laboratory sheet;
5. Performance of preventative maintenance and repairs or requests for repair of the equipment that affect or have the potential to affect the quality or quantity of sewage conveyed, effluent produced; and
6. Identification of the persons making entries.

Please review OAC 3745-07 for additional information.

Within 10 days of the date of this letter, you are directed to notify this office, in writing, outlining the corrective action, either actual or proposed, that will be taken to eliminate the above highlighted deficiencies.

Should you have any questions, please contact the undersigned at (330) 963-1183.

Sincerely,



Marie Underwood, P.E.  
Environmental Engineer  
Division of Surface Water

MU/cs