



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

December 5, 2012

Matt Ardery
202 Haldy Ave
Columbus, OH 43204

NOTICE OF VIOLATION

Re: Fairfield County
Old Town Tavern
NPDES Permit 4PR00101/ OH0136506

Dear Mr. Ardery:

Recent inspections by staff from our Central District Office have indicated you may be in violation of the operator certification provisions included in Chapter 3745-7 of the Ohio Administrative Code.

A review of the operator log book at the Old Town Tavern wastewater treatment plant (4PR00101) indicates the following:

1. Prior to the end of October 2012 the operator log book did not include your dates and times of arrival and departure. OAC Rule 3745-7-09(A)(3)(b)4 requires the records to include the date and times of arrival and departure for the operator of record.
2. The log book indicates violations of the Dissolved Oxygen limits established in the facility's permit. There is no notation about actions taken to address these violations or of any notification to the permittee of the need to address the situation. OAC Rule 3745-7-09(A)(3)(c) requires documentation of specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of effluent produced. OAC Rule 3745-7-09(D) states, "in the event that there are issues related to paragraphs (A) to (C) of this rule that are within the area of responsibility of, but beyond an operator of record's ability to address, it shall be the operator's responsibility to document any efforts to rectify the problem."
3. OAC Rule 3745-7-02 (D)(1-2) requires that a copy of the contract for operations is maintained onsite at the treatment works. A copy of the contract was not observed at the facility

4. A review of the records indicates aeration tank dissolved oxygen levels of 0.25 mg/l. OAC Rule 3745-7-09(B) requires certified operators to perform their duties in a responsible and professional manner consistent with standard operating procedures and best management practices. Maintaining aeration tank dissolved oxygen levels at 0.25 mg/l is not consistent with standard operating procedures.
5. In accordance with OAC Rule 3745-7-09(C)(1), the duties of an operator of record include the responsible and effective on site management of the technical operation of the treatment works. The above referenced facility is in significant non-compliance with the permit and OAC Rules, therefore it does not appear as if the technical operation of the facility is being conducted in a responsible and effective manner.

Please note, OAC Rule 3745-7-12 states the Director may suspend or revoke the certificate of an operator upon finding the operator:

- Performed the duties of an operator in a negligent or incompetent manner, or
- Operated in such a manner to have violated or caused to be violated any provisions of Chapter 6109. or 6111. of the Revised Code.

The violations observed during the recent inspection, constitute violations for which the Director may take disciplinary action.

Please provide a written response with fifteen days of the date of this letter indicating what steps you will take to ensure compliance with the requirements above.

If you have any questions or comments, please feel free to contact me at (614) 728-1216.

Sincerely,



Andrew Barienbrock
Environmental Supervisor
Operator Certification Unit
Division of Drinking and Ground Waters

cc: Paul Vandermeer DSW - CDO
Dan Kopec, DSW - CO