



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

January 19, 2012

RE: Lake County
Kirtland
Olde Towne
NPDES Permit No. 3PR00170
Application No. OH0117803

Sean Heineman
Olde Towne Tavern
7592 Chardon Road
Kirtland, OH 44094

Notice of Violations

Dear Mr. Heineman:

On January 10, 2012, this writer a conducted compliance evaluation inspection of the wastewater treatment plant (WWTP) that serves the Olde Towne. The purpose of the inspection was to evaluate the WWTPs operation and maintenance condition, and to evaluate the facility's compliance with National Pollutant Discharge Elimination System (NPDES) permit effluent limits.

At the time of inspection, the plant was producing an effluent free of suspended solids, debris, and oil and grease. The following observations were noted:

1. The aeration section was in satisfactory operation. The mixed liquor with a chocolate brown in color. Accumulated sludge was visible in the clarification section.
2. The distribution box located adjacent to the surface sand filters was filled with clarified wastewater.
3. The north filter bed was covered with an excessive amount of sludge. The south bed had some sludge on its surface also. Once the filters dry out the sludge, solids laden sand must be removed and replaced with clean sand. The dried sludge should be disposed of at public disposal site. Assurances must be made that 18 inches of Ohio EPA approved filter sand exists on both beds. Ohio EPA approved filter sand has a uniformity coefficient that does not exceed 3.0 and an effective size of 0.4 mm - 1.0 mm. The sand must be raked and evenly distributed across the surface of the filter bed.
4. The area around the WWTP is cluttered. Excessive vegetation is growing around the plant. The area should be de-cluttered so as to prevent possible safety issues for personnel working around the plant. When the weather permits, the vegetation around the plant units should be removed.

The referenced deficiencies should be corrected immediately.

A review of the Discharge Monitoring Reports (DMRs) for the period of February 2010 to November 2011 revealed the following effluent limitation violations:

Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
001	00300	Dissolved Oxygen	1D Conc	6.0	5.	8/31/2010
001	00530	Total Suspended Solids	30D Conc	12	14.7	4/1/2010
001	80082	CBOD 5 day	30D Conc	10	12.5	4/1/2010
001	00300	Dissolved Oxygen	1D Conc	6.0	5.	4/30/2010
001	00530	Total Suspended Solids	30D Conc	12	37.	5/1/2010
001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	5.6	5/1/2010
001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.009	.0106	5/1/2010
001	00300	Dissolved Oxygen	1D Conc	6.0	3.5	5/31/2010
001	00300	Dissolved Oxygen	1D Conc	6.0	4.	9/29/2010
001	00300	Dissolved Oxygen	1D Conc	6.0	5.	10/7/2010

A review of the DMRs for the same period revealed the following sampling frequency violations:

Station	Reporting Code	Parameter	Sample Frequency	Expected	Reported	Violation Date
001	00300	Dissolved Oxygen	1/Week	1	0	03/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	03/22/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	07/01/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	07/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	07/01/2010
001	00300	Dissolved Oxygen	1/Week	1	0	07/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	07/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	07/22/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	08/01/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	08/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	08/01/2010
001	00300	Dissolved Oxygen	1/Week	1	0	08/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	08/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	08/22/2010
001	00300	Dissolved Oxygen	1/Week	1	0	04/01/2010
001	00300	Dissolved Oxygen	1/Week	1	0	04/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	04/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	04/22/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	05/01/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	05/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	05/01/2010
001	00300	Dissolved Oxygen	1/Week	1	0	05/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	05/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	05/22/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	06/01/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	06/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	06/01/2010

001	00300	Dissolved Oxygen	1/Week	1	0	06/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	06/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	06/22/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	09/01/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	09/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	09/01/2010
001	00300	Dissolved Oxygen	1/Week	1	0	09/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	09/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	09/22/2010
001	50060	Chlorine, Total Residual	1/2Weeks	1	0	10/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	10/08/2010
001	00300	Dissolved Oxygen	1/Week	1	0	10/15/2010
001	00300	Dissolved Oxygen	1/Week	1	0	10/22/2010

Also, this agency has no record of receipt of DMR data for the months of November 2010, December 2010, January 2011, February 2011, March 2011, April 2011, June 2011, July 2011, August 2011, September 2011, October 2011 and November 2011. As stated in Part III of your NPDES permit, Ohio EPA 4500 report forms are to be received by this agency no later than the 15th day of the month following the month-of-interest. If the monitoring data is submitted electronically, the data must be submitted by the 20th day of the month following the month-of-interest.

This writer was not able to locate operation and maintenance records for the plant. Pursuant to Ohio Administrative Code 3745-7-09, this agency requires the owner and operator of record of a WWTP to maintain operation and maintenance records for the WWTP. The records shall be housed onsite and shall be accessible for twenty-four hour inspection. Some of the formats in which the records may be maintained include, but are not limited to, hard bound book with consecutive page numbering, time cards, separate operation and maintenance records, or well organized computer logs. 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.

As stated in Part II, Item A of your NPDES, the WWTP serving Olde Towne is classified as a Class A facility. Pursuant to Ohio Administrative Code 3745-7-04 the Operator of Record (ORC) for the facility must be physically present at the plant, a minimum of two days per week, one hour per week. According to the ORC Notification Form that this office received, Mr. Richard Grant, your ORC is onsite at the facility for 0.5 hours per week. This does not meet the

OLDE TOWNE
JANUARY 19, 2012
PAGE 4 OF 4

requirements of the administrative code. Please submit to this office, an ORC form that meets the requirements of the administrative code.

Be advised that failure to comply with the effluent limitations or to satisfy the monitoring or reporting and compliance scheduling requirements of your NPDES permit may be cause for enforcement pursuant to Ohio Revised Code Chapter 6111.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Marie Underwood".

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

MU/cs