



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

April 26, 2012

RE: GEAUGA COUNTY
CLARIDON TWP
CABANAS ISLAND RESTAURANT
NPDES No. 3PR00513

Mr. Michael Good, Owner
Cabanas Island Restaurant
12719 Mayfield Road
Chardon, Ohio 44024

NOTICE OF VIOLATION

Dear Mr. Good:

On April 19, 2012, this writer conducted an inspection of the sewage treatment plant serving the above referenced facility. The intent of the inspection was to evaluate the operations and maintenance of the system for compliance with the National Pollutant Discharge Elimination System (NPDES) permit.

The inspection revealed the existing discharging septic system is intact and in use. The upgraded wastewater treatment plant (WWTP), approved in permit-to-install (PTI) 801904, has not been constructed.

According to our records, PTI 801904 was issued on July 6, 2011 for the following upgraded WWTP:

- Existing 2,000-gallon trash trap;
- 2,204-gallon flow equalization tank equipped with an aluminum splitter box;
- 4,000-gallon extended aeration treatment system;
- 500-gallon dosing chamber;
- 250 ft² surface sand filter, equally divided into two beds;
- Ultra violet disinfection system; and
- 1,100-gallon sludge storage tank.

According to PTI No. 801904, the PTI shall expire if construction has not been initiated within 18 months of the effective date (January 6, 2013).

The NPDES permit issued to this facility contains a compliance schedule for the construction of the upgraded WWTP. According to the compliance schedule, construction of the upgrades was to be completed no later than December 10, 2010. The system was required to attain operational level of the upgraded treatment works and meet final effluent limitations no later than January 10, 2011.

To date, the system has not constructed the upgraded WWTP in accordance with the NPDES permit compliance schedule. As such, Cabanas Island Restaurant is in violation of the NPDES permit and subject to enforcement action.

If the facility fails to construct the WWTP within 18 month from the effective date of the PTI, a new application and resubmittal of the upgraded WWTP project will be required.

The facility is currently submitting discharge monitoring data with code "AL" which represents "no discharge for the month". The existing system is a discharging septic system and must be sampled. The existing system is not sufficient to meet the permit limits set forth in the NPDES permit. As such, the upgraded wastewater treatment system must be constructed as soon as possible.

SUMMARY

Cabanas Island Restaurant is in violation of the NPDES permit compliance schedule for failure to construct the upgraded WWTP as approved in PTI No. 801904. This office is proposing the following schedule to bring this system back into compliance:

- Construct upgraded WWTP in accordance with PTI No. 801904. Begin construction of the approved treatment system as soon as possible but no later than 45 days from the date of this letter;

You must provide a response within 30 days of receipt of this letter explaining actions that will or have been taken to return the treatment system to full compliance with the NPDES permit. The response must include a schedule for completing construction of the upgraded WWTP. This office is prepared to initiate enforcement action against Cabanas Island Restaurant if the facility fails to provide a response within 30 days of receipt of this letter. If you believe this timeline is inadequate, you must contact this office immediately.

If you have any questions or comments regarding this letter please contact this writer at (330) 963-1299.

Respectfully,



Laura A. Weber, P.E.
Environmental Engineer
Division of Surface Water

LAW/cs

File: Geauga County Health Department, Att: Dave Sage