



**Environmental  
Protection Agency**

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

May 10, 2012

RE: SUMMIT COUNTY  
VILLAGE OF PENINSULA  
FISHERS CAFÉ AND PUB  
1607 MAIN STREET  
OHIO EPA NO. 3PR00299

Fishers Café and Pub  
Attn: Mr. Richard Fisher, G.M.  
P.O. Box 176  
Peninsula, OH 44264

**CEI/NOTICE OF VIOLATION**

**CERTIFIED MAIL**

Dear Mr. Fisher:

On May 7, 2012, a Compliance Evaluation Inspection was conducted at the wastewater treatment plant (WWTP) serving Fishers Café and Pub. The purpose of the inspection was to observe the operation and maintenance of the WWTP and to determine whether the facility has been in compliance with its National Pollutant Discharge Elimination System (NPDES) permit.

During the inspection, the following observations and/or deficiencies were made:

1. The mixed liquor in the extended aeration tank appeared to be receiving adequate aeration, was the proper chocolate brown color, and had no offensive odor. The sludge return was operating properly. In addition, it appeared that new grating had been installed over the tanks.
2. The clarifier was completely full of solids. It is directed that the sides of the clarifier be scraped down, and the tank be pumped out as soon as possible.
3. The ground around the surface sand filters' distribution box appeared to be eroded and wet. It is recommended your certified operator check the distribution pipe for leaks and re-grade the area around the distribution box.
4. Both sides of the surface sand filters were flooded with dark, bubbly, partially treated effluent. There also was lots of green algae. This office is concerned with how slowly the sand filters are draining.
5. The disinfection tank contained lots of pinfloc and white foam, rather than clear effluent.

Review of the electronic Discharge Monitoring Reports (eDMRs) submitted for your plant from April 2011 through April 2012 revealed the following numeric effluent violations:

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2011	001	Total Suspended Solids	30D Conc	12	29.	6/1/2011
June 2011	001	Total Suspended Solids	7D Conc	18	29.	6/1/2011

Northeast District Office  
2110 East Aurora Road  
Twinsburg, OH 44087-1924

330 | 963 1200  
330 | 487 0769 (fax)  
www.epa.ohio.gov

Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
June 2011	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	12.	6/1/2011
June 2011	001	Nitrogen, Ammonia (NH3)	7D Conc	1.5	12.	6/1/2011
June 2011	001	CBOD 5 day	30D Conc	10	16.7	6/1/2011
June 2011	001	CBOD 5 day	7D Conc	15	16.7	6/1/2011
June 2011	001	Dissolved Oxygen	1D Conc	6.0	.1	6/6/2011
August 2011	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	6.55	8/1/2011
August 2011	001	Nitrogen, Ammonia (NH3)	7D Conc	1.5	6.55	8/8/2011
August 2011	001	Dissolved Oxygen	1D Conc	6.0	3.5	8/8/2011
March 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	4.05	3/1/2012
March 2012	001	pH	1D Conc	6.5	6.3	3/15/2012

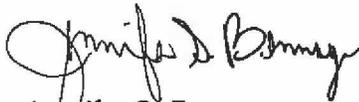
Please be advised such instances of noncompliance are subject to enforcement pursuant to Ohio Revised Code (ORC) 6111.

After reviewing the reported sampling data, it was noted that AH (Sample Not Taken) is being reported for the required weekly parameters of temperature, color, odor, and turbidity. AH is also being reported for the required daily flow monitoring. Your NPDES permit requires that these parameters be reported weekly and/or daily. As we have informed you previously, acceptable methods of estimating flow are elapsed time meters on sand filter dosing pumps, elapsed time meters on influent pumps, and water use records. It is required that you immediately have elapsed time meters installed on the dosing chamber.

As you know, your current NPDES permit contains a schedule of compliance for necessary treatment plant upgrades consisting of flow equalization, sludge holding, additional aeration and new sand. Construction of this upgrade was to be completed by February 1, 2009. To date, these upgrades have not been constructed. Therefore, you remain in violation of your NPDES permit requirements.

It is directed you contact this office, within 14 days, to schedule a meeting to discuss your intentions regarding returning to compliance. Failure to schedule a meeting will result in immediate referral of this situation to our legal department for escalated enforcement. To schedule the meeting, please contact this office at (330) 963-1151.

Sincerely,



Jennifer S. Bennage  
Environmental Engineer  
Division of Surface Water

JSB/cs

cc: Dean Stoll, Enforcement Coordinator, Ohio EPA, DSW, NEDO  
Larry Reeder, Enforcement Supervisor, Ohio EPA, DSW, CO  
Tom LaPlante, Summit County Health Dept.

7011 0470 0002 3496 2198

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<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>B. Received by (<i>Printed Name</i>) <span style="float: right;">C. Date of Delivery</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p><b>Fishers Café and Pub</b>  <b>Mr. Richard Fisher, G.M.</b>  <b>P.O. Box 176</b>  <b>Peninsula, OH 44264</b></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p>7011 0470 0002 3496 2198 DSW 9/12</p>	<p>4. Restricted Delivery? (<i>Extra Fee</i>) <input type="checkbox"/> Yes</p>

