



**Environmental  
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

May 31, 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

Dear Mr. Good,

This office has received your May 29, 2012 response letter to a notice of violation dated April 26, 2012. A permit-to-install (PTI) # 801904 was issued to Cabana's Island Restaurant (facility) on July 6, 2011 and has an expiration date of January 6, 2013. You are currently in significant non-compliance with the National Pollutant Discharge Elimination System (NPDES) permit compliance schedule, which required construction of the upgraded wastewater treatment plant (WWTP) to be completed no later than December 10, 2010. The compliance schedule also required the facility to attain operational level of the upgraded treatment works and meet final effluent limitations no later than January 10, 2011.

In your response letter, you addressed the cause of noncompliance as financial constraints preventing the facility from commencing construction on the upgraded WWTP. You have requested an extension of 18 months for the PTI.

This office is willing to grant a 12-month extension to the PTI. However, this office is requesting you submit a timeframe for the installation of the upgraded wastewater treatment system.

The facility remains in significant noncompliance with the NPDES permit compliance schedule. The compliance schedule must be updated to match the facility's above referenced timeframe. This update will require the NPDES permit to be modified. This office is requesting you submit an NPDES permit modification (application enclosed) to modify the compliance schedule to the facility's updated timeframe. You must be aware, this office will grant up to a 12-month extension on the PTI. As such, the facility's timeframe must not extend beyond January 6, 2014.

Until the NPDES permit is modified, the facility is in violation of the NPDES permit compliance schedule for failure to construct the upgraded WWTP as approved in PTI # 801904.

This office is prepared to refer the facility to our legal section for an enforcement action should the facility fail to submit an NPDES permit modification in 30 days, fail to comply with the modified NPDES permit compliance schedule or fail to abide by the PTI extension of 12 months.

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

Enclosures: NPDES permit modification  
Mike Timas, Hess & Associates  
Geauga County Health Department, Att: Dave Sage