



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

August 2, 2012

RE: GREAT LAKES MEDIEVAL FAIRE
OHIO EPA PERMIT 3PR00457
TRUMBULL TWP, ASHTABULA COUNTY
COMPLIANCE EVALUATION INSPECTION

NOTICE OF VIOLATION

CERTIFIED MAIL

Mr. Larry Rickard, Owner
Great Lakes Medieval Faire
P.O. Box 376
Rock Creek, Ohio 44084

Dear Mr. Rickard:

On July 31, 2012, a site inspection was conducted at the above referenced facility at 3033 State Route 534, Trumbull Township, Ashtabula County. The inspection was conducted by John Schmidt of this office and I spoke with Beth Sacerich, Operations Manager representing Great Lakes Medieval Faire (GLMF) prior to and after conducting the inspection. During the inspection Bill Sontos, Site Crew Manager represented GLMF during the inspection. The purpose of the inspection was to 1) follow up on the compliance issues identified in the May 12, 2011, June 22, 2011, and July 12, 2012 inspections; 2) discuss proposed Director's Final Findings and Orders (DFFOs) for getting this facility back into compliance with your National Pollutant Discharge Elimination System (NPDES) permit and Ohio Revised code (ORC) Chapter 6111; and 3) evaluate the facility's compliance status with respect to the terms and conditions of the facility's NPDES permit. The last inspection was conducted on July 12, 2012.

Observations and Notations

The following observations and notations were made during the inspection:

1. The plant receives wastewater flow from the office area in the months prior to, during, and after the faire by staff. Per Mr. Sontos, the building restrooms have since been shut down following the July 12, 2012 inspection. If the buildings will be occupied by employees for more than a few hours a day, sanitary facilities (toilets and hand sinks), must be provided per Ohio health laws. Ohio EPA also notes that the American Red Cross has a blood drive scheduled at the fair on August 5, 2012, which also requires sanitary facilities per my discussions with the Red Cross. The complex is typically not staffed during the winter months. As previously requested, please verify the dates that the restroom facilities and other sources tributary to this wastewater plant are being used by your staff and contractors.
2. According to records maintained by Ohio EPA, the plant has Roger Osburn of Lewis Wastewater Services listed as the operator of record. Contact with Lewis Wastewater Management indicated that their operators are NOT the operators of record for this facility.

During a 2011 inspection, GLMF indicated that Lewis Wastewater Services is not the operator of record, and that GLMF is in search of a contract operator. As indicated in 2011 and again in 2012, the operator of record information should be updated as soon as possible. Mr. Sontos indicated that GLMF still has not selected an operator of record. An operator of record is still required to inspect the plant even in the off season. Forms to be completed by both the owner and the operator may be found online at <http://www.epa.ohio.gov/LinkClick.aspx?fileticket=7fKxZGllvBY%3d&tabid=3650>. Please note that Ohio EPA has been fining facilities that have failed to obtain an operator of record.

3. Log books and the operation and maintenance manual are still not located at the site and were not available for inspection. Minimum staffing of the plant is not documented. Log books, the NPDES permit, a copy of the operator of record (ORC) contract, and the operation and maintenance manual must be maintained at the site. The permit and contract should be maintained at the same location as the log book. The information was found not compliant with Ohio Administrative Code (OAC) 3745-7-09.
4. Since the last inspection, the plant was pumped and re-seeded. Mr. Sontos refused to provide the name of the company who hauled the septic wastewater and sludge from the site. The tank color was a light brown, no odor, and good air. Only a single blower is provided for air. If the NPDES permit is renewed a second blower will be required. The blower was cycled and found operational. There are no alarms.
5. The surface of the clarifier was clear, and effluent weirs and channels were reasonably clean. The return sludge line and skimmer appear functional once the air is turned on.
6. Surface sand filter dosing pumps were still inoperable, and the water level in the tank noted as high. Mr. Sontos was unaware if the pumps operate on a float or a timer. The pumps must be made functional as soon as possible.
7. Sand filters have not been weeded since the last inspection. Water could not be discharged to the beds due to faulty pumps. The distribution box was resealed, and a plug installed to allow one bed to rest while the other operates. No sludge was apparent in the beds.
8. The chlorination system was found to be empty of required chemicals. Your final effluent is not being disinfected prior to discharge. The tank must be stocked with chemicals as soon as possible and the tank cleaned of accumulated debris. During the July 12, 2012 inspection, Mr. Sontos had indicated that the tank would be pumped with the aeration tank and clarifier. However, the tank has not been pumped and cleaned. Mr. Sontos was provided with the contact information of GLMF's last contract operator, Lewis Wastewater Services.
9. This plant has no provisions for dechlorination. A tablet dechlorinator must be provided at the outlet of the chlorine contact tank to remove excess chlorine that can be harmful to Trumbull Creek.
10. During the inspection, the plant was not discharging to Trumbull Creek.

11. Mr. Sontos indicated that the fair will only be open for four additional days (this coming weekend and next weekend).

NPDES Permit Compliance Review

A review of the electronic discharge self-monitoring reports (eDMRs) received by Ohio EPA for the period June 1, 2011 through July 1, 2012 indicates apparent noncompliance of the terms and conditions of your NPDES permit as identified below:

Limit Violations

No information has been submitted to Ohio EPA's eDMR system to calculate limit violations; therefore, Ohio EPA cannot ascertain if current plant performance is resulting in effluent limit violations. We discussed this with your staff during both the last inspection and the current inspection. An eDMR account must be established as soon as possible and data submitted pursuant to your NPDES permit. Previous months should be amended to include as much data as available, including months where "no flow" should be reported.

Reporting Violations

No flow data was reported in 2009, 2010, 2011, and so far in 2012. Flow should be reported as "AL" for "no flow" from the WWTP for any months when there is no discharge from the facility, reflecting times when the facility is not used. On December 9, 2010 May 16, 2011, July 28, 2011, October 19, 2011, November 30, 2011, and July 16, 2012, Ohio EPA notified Great Lakes Medieval Faire of failure to submit monitoring information as prescribed by your NPDES permit.

Ohio EPA understands that you are required by the Ashtabula County Health Department to have operating restroom facilities for your staff. Ohio EPA notes that GLMF offices are staffed with personnel and contractors that have access to permanent restroom facilities in buildings with flow to this wastewater plant. Please provide a rationale for the failure to report flow and sampling data from 2009 through May 2012. Sampling and reporting must commence immediately.

Compliance Schedule Violations

Based upon a review of Ohio EPA's files, the following is a compliance schedule summary as specified by your permit:

Permit Effective Date	Permit Expiration Date	Schedule Due Date	Completion Date	Event Code	Schedule Type	Schedule Milestone
02/01/2008	01/31/2013	05/01/2009	Not Submitted	01299	Construction	WWTP Effectiveness Eval

From examination of Ohio EPA's files, Ohio EPA has no record of receiving a report on the evaluation of the effectiveness of the treatment system and an assessment of the capability of the system to meet the final effluent limitations. Based upon an examination of the facility during the May 12, 2011, June 22, 2011, July 12, 2012, and July 31, 2012 inspections, it appears that at a minimum this facility requires a tablet dechlorinator at the outlet of the chlorine contact tank. While limited eDMRs were submitted in 2008, the reports indicate only that the plant was not discharging during the off-season with no actual monitoring data submitted. Therefore, it is unclear to Ohio EPA if the plant has achieved its operational level as specified by your NPDES permit.

Please provide Ohio EPA a letter stating that the existing system can meet the final limits supported by data or submit a permit-to-install application for the necessary improvements as prescribed by your NPDES permit.

Other Violations

1. Failure to Designate an Operator of Record : The inspection revealed that GLMF still does not have a licensed operator supervising this facility. Part II, Item A of your NPDES permit, the wastewater treatment works must be under the supervision of a Class A State Certified Operator as required by OAC 3745-7-02. The official designation received by Ohio EPA Central Office is currently inaccurate. GLMF may enter into a contract for the technical services of an appropriately certified operator to inspect, monitor, and supervise the operation thereof provided that a renewable contract, describing the duties and responsibilities of said certified operator, is submitted to and approved by Ohio EPA. For your reference, a list of contract operators may be found at the following web address: http://wwwapp.epa.ohio.gov/dsw/opcert/ORC_list.xls. Ohio EPA's operator of record designation form may be found at http://epa.ohio.gov/portals/28/documents/opcert/Operator_of_Record_Notification_Form.pdf. Please complete the operator of record form and return to Ohio EPA Central Office. Please provide this office with a courtesy copy of the ORC form in replying to this letter.
2. Failure to Maintain a Facility Log Book): The inspection revealed that records required pursuant to OAC 3745-7-09(A)(3) are not being maintained at the facility and were not available for inspection as required by rule. A log book must be maintained at the WWTP and available for inspection 24 hours a day. In addition, there must be a copy of the NPDES permit and a copy of the contract you have with a contract operator, if applicable. This is typically accomplished by posting a mailbox or some other weather-tight container at the WWTP.
3. Failure to Meet Minimum Staffing Requirements: Based upon a lack of a log book to document visits by your ORC, GLMF is in violation of OAC 3745-7-04 for not meeting minimum staffing hour requirements. The facility must be staffed by a licensed operator twice weekly for a total of an hour. If notification is provided to Ohio EPA's operator certification unit in Columbus indicating that flow sources have ceased (off-season) per OAC 3745-7-04(C)(2)(f) and approval is obtained from the Director, the frequency of inspections by the Operator may be reduced to monthly. I provided Mr. Sontos a copy of OAC 3745-7-04 during the July 31, 2012 inspection.
4. Failure to Report Monitoring Data: Part III, Item 4 of your NPDES permit requires you to report data to Ohio EPA electronically. A review of Ohio EPA files finds no data reported between 2009 and July 2012. Missing information must be submitted as soon as possible. Instructions for establishing an eDMR account to submit data may be found under Part II, Item 4 of your NPDES permit on page 12.
5. Failure to Submit Annual Sludge Report: Ohio EPA notes that Part II, Item L of your NPDES permit requires you to submit a report no later than January 31st summarizing the sewage sludge disposal, use, storage, or treatment activities during the previous calendar year. The report is required even if no sludge was removed the previous calendar year. Ohio EPA's

files reflect that GLMF has never submitted this report since the NPDES permit was issued in 2008. Please submit the report to Chris Moody of this office as prescribed by your NPDES permit.

Other Compliance Issues

Ohio EPA has provided a hand delivered copy of the proposed Director's Final Findings and Orders (DFFOs) to Beth Sacerich of your staff on June 7, 2012. To date we have not heard a response from you on these Orders. Mr. Sontos has indicated that he has not heard anything from you to share with me. You or your attorney must contact Martha Horvitz at (614) 644-3037 as soon as possible. If a response to the proposed DFFOs is not received by Ohio EPA by August 20, 2012, Ohio EPA will forward this matter onto the Ohio Attorney General's Office.

Please be advised that failure to submit eDMRs, failure to comply with the compliance schedule prescribed in your NPDES permit, and failure to adequately operate and maintain your wastewater treatment plant are additional violations for inclusion in the enforcement action which has been initiated pursuant to chapter 6111 of the Ohio Revised Code. Based on the above information, Great Lakes Medieval Faire remains in significant noncompliance with the terms and conditions of the NPDES permit and, therefore, subject to enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code. Such actions can result in fines of up to \$10,000 per day of violation.

Please inform this office, in writing, by August 15, 2012 as to the actions discussed that have been or will be taken to correct the above noncompliance or explanations if you believe the noncompliance issues noted are in error. Your response to this letter should include the dates that the actions have been or will be completed. Please be advised that past or present issues of noncompliance can continue as subjects of the current or future enforcement actions by Ohio EPA.

If you have any questions or comments regarding this inspection, please feel free to contact me at (330) 963-1175.

Respectively,



John M. Schmidt P.E., R.S.
Environmental Engineer
Division of Surface Water

JMS/cs

cc: Martha Horvitz, Ohio EPA, Legal, CO

File: SP/Ashtabula/Trumbull Twp./Great Lakes Medieval Faire (3PR00457)

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