



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

Re: **Notice of Violation**
Ottawa County
Bayshore Inn
NPDES Permit No. 2PR00164*AD

November 8, 2012

Mr. Jay Patel
17100 Park Avenue
Riverview, Michigan 48193

Dear Mr. Patel:

Please find enclosed a copy of your National Pollutant Discharge Elimination System (NPDES) permit for the Bayshore Inn that includes a Schedule of Compliance with milestones leading to abandonment of existing wastewater treatment facilities and connection to the Port Clinton municipal sanitary sewer within three years of the June 1, 2010, effective date of the permit. Item 1. a) required a status report be submitted to this office by June 1, 2012, (24 months from the effective date of the permit). As of this date, we have not received the status report. You are considered to be in violation of Item 1. a) of the compliance schedule.

Please notify me in writing by December 15, 2012, with your intentions to comply with the compliance schedule, including connection to the Port Clinton municipal sanitary sewer by the April 30, 2013, deadline, the expiration date of the NPDES permit. Should you fail to respond by the deadline, this agency will have no choice other than to begin enforcement action to order connection to the sanitary sewer.

Also enclosed is a copy of my February 10, 2010, letter to provide background information for you to review the terms and conditions, allowing the temporary use of the existing wastewater treatment plant (WWTP).

I will await your response. If you have any questions, please call me at (419) 373-3020, or email at rick.zuzik@epa.state.oh.us.

Sincerely,

Richard A. Zuzik, MSE
Division of Surface Water

/jlm

Enclosure

pc: Steve Wagner, Ottawa County Sanitary Engineers Office
Ottawa County Health Department
ec: Tracking

Application No. OH0130273

Issue Date: May 7, 2010

Effective Date: June 1, 2010

Expiration Date: April 30, 2013


RECEIVED

MAY 10 2010

OHIO EPA
HWDO.

Ohio Environmental Protection Agency
Authorization to Discharge Under the
National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereinafter referred to as the "Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

Bhrugini Patel dba Bayshore Inn

is authorized by the Ohio Environmental Protection Agency, hereinafter referred to as "Ohio EPA," to discharge from the wastewater treatment works located at 2149 E. Gill Road, Port Clinton, Ohio, Ottawa County and discharging to an unnamed tributary to Lake Erie in accordance with the conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Chris Korleski
Director

Total Pages: 20

Part I, A. - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the last day of April 2013, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 2PR00164001. See Part II, OTHER REQUIREMENTS, for locations of effluent sampling.

Table - Final Outfall - 001 - Final

Effluent Characteristic Parameter	Discharge Limitations						Monitoring Requirements			
	Concentration Specified Units		Loading* kg/day				Measuring Frequency	Sampling Type	Monitoring Months	
Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly				
00056 - Flow Rate - GPD	-	-	-	-	-	-	-	1/Month	Total Estimate	All
00300 - Dissolved Oxygen - mg/l	-	5.0	-	-	-	-	-	1/Month	Grab	All
00400 - pH - S.U.	9.0	6.5	-	-	-	-	-	1/Month	Grab	All
00530 - Total Suspended Solids - mg/l	-	-	18.0	12.0	-	0.57	0.38	1/Month	Grab	All
00610 - Nitrogen, Ammonia (NH3) - mg/l	-	-	1.5	1.0	-	0.05	0.03	1/Month	Grab	All
31648 - E. coli - #/100 ml	-	-	235	126	-	-	-	1/Month	Grab	Summer
50060 - Chlorine, Total Residual - mg/l	0.038	-	-	-	-	-	-	1/Month	Grab	Summer
80082 - CBOD 5 day - mg/l	-	-	15.0	10.0	-	0.47	0.32	1/Month	Grab	All

Notes for station 2PR00164001:

This permit will expire the last day of April, 2013 - See Part 1, C - Schedule of Compliance-Wastewater Treatment Plant Connection Schedule

Effluent loadings based on average design flow of 0.0083 MGD.
Total residual chlorine - See Part II, Item E.

Part I, B. - SLUDGE MONITORING REQUIREMENTS

1. Sludge Monitoring. During the period beginning on the effective date of this permit and lasting until the last day of April, 2013, the permittee shall monitor the treatment works' final sludge at Station Number 2PR00164588, and report to the Ohio EPA in accordance with the following table. See Part II, OTHER REQUIREMENTS, for location of sludge sampling.

Table - Sludge Monitoring - 588 - Final

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>						<u>Monitoring Requirements</u>			
	Concentration Specified Units		Loading* kg/day				Measuring	Sampling	Monitoring	
Parameter	Maximum	Minimum	Weekly	Monthly	Daily	Weekly	Monthly	Frequency	Type	Months
80991 - Sludge Volume, Gallons - Gals	-	-	-	-	-	-	-	1/Year	Total	December

NOTES for Station Number 2PR00164588:

- Monitoring is required when sewage sludge is removed from the permittee's facility for transfer to another NPDES permit holder. The total sludge weight or sludge volume transferred to another NPDES permit holder for the entire year shall be reported on the December Discharge Monitoring Report (DMR). If no sewage sludge is removed from the Permittee's facility for transfer to another NPDES permit holder during the year, report "AL" in the first column of the first day of the December DMR. A signature is still required.

- See Part II, Items F and G.

Part I, C - Schedule of Compliance

Item 1. - Wastwater Treatment Plant Connection Schedule

The permittee shall make all arrangements necessary to connect the sanitary wastewater treatment plant monitored at station 2PR00164001 to the Ottawa County municipal sanitary sewer as expeditiously as possible, but not later than the last day of April, 2013, or 35 Months from the effective date of this permit. The permittee shall take all actions described below developed in accordance with the following schedule:(4599)

a.) No later than 24 Months from the effective date of this permit, the permittee shall submit a status report on efforts made towards complying with Item 1 of this schedule, and if necessary submit a permit to install to the Northwest District Office for this project.(1799)

b.)The permittee shall notify the Ohio EPA Northwest District Office in writing within 7 days of completing construction and connection to the municipal sewer.

Part II, Other Requirements

A. Operator Certification Requirements

1. Classification

a. In accordance with Ohio Administrative Code 3745-7-04, the sewage treatment facility at this facility shall be classified as a Class A facility.

2. Operator of Record

a. The permittee shall designate one or more operator of record to oversee the technical operation of the treatment works and sewerage (collection) system in accordance with paragraph (A)(2) of rule 3745-7-02 of the Ohio Administrative Code.

b. Each operator of record shall have a valid certification of a class equal to or greater than the classification of the treatment works as defined in Part II, Item A.1 of this NPDES permit.

c. Within three days of a change in an operator of record, the permittee shall notify the Director of the Ohio EPA of any such change on a form acceptable to Ohio EPA. The appropriate form can be found at the following website:

http://www.epa.ohio.gov/portals/28/documents/opcert/Operator_of_Record_Notification_

d. Within 60 days of the effective date of this permit, the permittee shall notify the Director of Ohio EPA of the operators of record on a form acceptable to Ohio EPA.

3. Minimum Staffing Requirements

a. The permittee shall ensure that the treatment works operator of record is physically present at the facility in accordance with the *minimum staffing requirements* per paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code or the requirements from an approved 3745-7-04(C) minimum staffing hour reduction plan. The permittee shall meet the minimum staffing requirements within 12 months of the effective date of this permit.]

b. Sewerage (collection) system Operators of Record are not required to meet minimum staffing requirements in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

c. If Ohio EPA approves a reduction in minimum staffing requirements based upon a facility operating plan, any change in the criteria under which the operating plan was approved (such as enforcement status, history of noncompliance, or provisions included in the plan) will require that the treatment works immediately return to the minimum staffing requirements included in paragraph (C)(1) of rule 3745-7-04 of the Ohio Administrative Code.

B. Description of the location of the required sampling stations are as follows:

Sampling Station	Description of Location
2PR00164001	Final effluent prior to discharging to tributary to Lake Erie (Lat: 41 N 30' 51"; Long: 82 W 53' 56")
2PR00164588	Sludge removed from plant and disposed of at a NPDES permit holder.

C. All parameters, except flow, need not be monitored on days when the plant is not normally staffed (Saturdays, Sundays, and Holidays). On those days, report "AN" on the monthly report form.

D. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.

E. The parameters below have had effluent limitations established that are below the Ohio EPA Quantification Level (OEPA QL) for the 40 CFR 136 promulgated analytical procedure for those parameters. In accordance with the ORC Section 6111.13 and OAC Rule 3745-33-07(C), if a discharge limit is set below the OEPA QL, any analytical result reported less than the OEPA QL shall be considered to be in compliance with that limit. OEPA QLs may be expressed as Practical Quantification Levels (PQL) or Minimum Levels (ML).

The permittee must utilize the lowest available detection method currently approved under 40 CFR Part 136 for monitoring these parameters.

REPORTING:

All analytical results, even those below the OEPA QL (listed below), shall be reported. Analytical results are to be reported as follows:

1. Results above the QL: Report the analytical result for the parameter of concern.
2. Results above the MDL, but below the QL: Report the analytical result, even though it is below the QL.
3. Results below the MDL: Analytical results below the method detection limit shall be reported as "below detection" using the reporting code "AA".

The following table of quantification levels will be used to determine compliance with NPDES permit limits:

Parameter	PQL	ML
Chlorine, Total Residual	.050 mg/l	--

This permit may be modified, or alternatively, revoked and reissued, to include more stringent effluent limits or conditions if information generated as a result of the conditions of this permit indicate the presence of these pollutants in the discharge at levels above the water quality based effluent limit (WQBEL).

F. All disposal, use, storage, or treatment of sewage sludge by the Permittee shall comply with Chapter 6111. of the Ohio Revised Code, Chapter 3745-40 of the Ohio Administrative Code, any further requirements specified in this NPDES permit, and any other actions of the Director that pertain to the disposal, use, storage, or treatment of sewage sludge by the Permittee.

G. No later than January 31 of each calendar year the Permittee shall submit two (2) copies of a report summarizing the sewage sludge disposal, use, storage, or treatment activities of the Permittee during the previous calendar year. One copy of the report shall be sent to the Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, and one copy of the report shall be sent to the appropriate Ohio EPA District Office. The report shall be submitted on Ohio EPA Form 4229.

PART III - GENERAL CONDITIONS

I. DEFINITIONS

"Daily discharge" means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

"Average weekly" discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all "daily discharges" measured during a calendar week divided by the number of "daily discharges" measured during that week. Each of the following 7-day periods is defined as a calendar week: Week 1 is Days 1 - 7 of the month; Week 2 is Days 8 - 14; Week 3 is Days 15 - 21; and Week 4 is Days 22 - 28. If the "daily discharge" on days 29, 30 or 31 exceeds the "average weekly" discharge limitation, Ohio EPA may elect to evaluate the last 7 days of the month as Week 4 instead of Days 22 - 28. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"Average monthly" discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. Compliance with fecal coliform bacteria or E coli bacteria limitations shall be determined using the geometric mean.

"85 percent removal" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition, samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Ottawa County
Days Inn Motel
Portage Township
Sewerage

February 10, 2010

Mr. Jay Patel
17100 Park Avenue
Riverview, MI 48193

Dear Mr. Patel:

On January 26, 2010, a meeting was held on how to best serve the sewerage needs of the former Days Inn Motel which has been vacated for a number of years. Mr. Steve Wagner of the Ottawa County Sanitary Engineers Office was also present. The site is located at 2149 E. Gill Road, just south of SR 163. Plans are to renovate and reopen the motel.

The motel was served by an existing 8300 gpd package plant with surface sand filters installed in 1986 and has also been out of operation for a number of years. A condition of the original installation permit states that the treatment plant shall be abandoned and connected to public sanitary sewers when they become available. Ottawa County extended sanitary sewers to this area in 2002, and our files indicate that the agency has recommended connection since then.

You have since informed us that due to current economic constraints you are unable to tap into the sewer at this time, but would commit to do so within three years. In light of these economic concerns, we will agree to the continued use of existing treatment plant for a limited time.

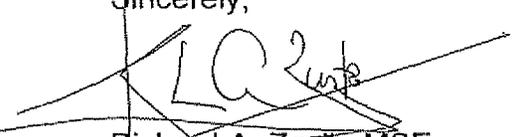
We are willing to issue an NPDES permit containing a Schedule of Compliance requiring you to tap into the Ottawa County sanitary sewer by Spring 2013. The permit will require monitoring of plant conditions and sampling of final effluent prior to discharging. Reporting to this agency will be on a monthly basis. It will also be necessary to retain a licensed sewage operator to provide operation and maintenance oversight. The previous owner submitted an NPDES permit application, however, the permit was not issued. In order to issue the permit in your name, I am asking you to resubmit the application forms along with your intention to comply with my proposal.

Mr. Jay Patel
February 10, 2010
Page Two

Enclosed is a copy of the prior application and NPDES Permit application Forms 1 and 2E, and Antidegradation Addendum, along with instructions for completing the forms. Please pay special attention to the signature requirements. Please read it carefully and complete those sections applicable to your project. The NPDES permit application should be submitted to the Northwest District Office within 30 -days. A draft permit will then be issued; you will have a thirty day review period, and opportunity to submit written comments. If we do not hear from you within the comment period, the permit will be issued as a final action.

If you have any questions, please call me at (419) 373-3020, or email at rick.zuzik@epa.state.oh.us .

Sincerely,



Richard A. Zuzik, MSE
Division of Surface Water

/lb

pc: Steve Wagner, Ottawa Co. Sanitary Engineers Office
Ottawa County Health Dept.

~~NWDO file~~