



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

December 14, 2012

**Re:** Jackson County  
My Three Brothers  
0GS00058\*AG  
Compliance Evaluation Inspection  
Correspondence (PWW)

Mr. Dan Patel  
My Three Brothers, LLC  
1525 Eastern Avenue  
Gallipolis, Ohio 45631

Dear Mr. Patel:

On November 26, 2012, Ohio EPA conducted a Compliance Evaluation Inspection at the KP's Tobacco Outlet facility in Jackson County. The purpose of the inspection was to determine compliance with terms and conditions of National Pollutant Discharge Elimination System (NPDES) permit numbers 0GS00058\*AG.

No Discharge Monitoring Reports (DMRs) have been received as required by the NPDES permit. This is a violation of the permit.

It is my understanding that My Three Brother is planning to submit DMRs using eDMR once a PIN gets established. The water level in the treatment plant has not reached an elevation that would discharge, thus it is highly likely no discharge has occurred since My Three Brothers acquired the site. The code "AL" may be used to report "No Discharge" for the entire month. The facility flows are so low that we recommend using the trash trap and perhaps the first aeration basin as a holding tank that can be hauled to a Public Owned Treatment Works for treatment. In time as the facility flows may increase you may want to reevaluate operating the plant for discharge.

If you have any questions, please feel free to contact me at (740) 380-5272.

Sincerely,

Aaron Pennington  
District Representative  
Division of Surface Water

AP/dh

Enclosures

c: KP's Tobacco Outlet

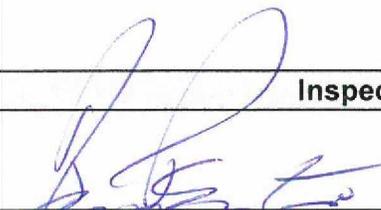
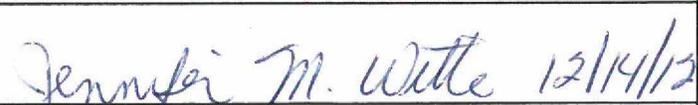


State of Ohio Environmental Protection Agency  
Southeast District Office

Semi-Public NPDES Compliance Inspection Report

Section A: National Data System Coding					
Permit #	NPDES #	Month/Day/Year	Inspection Type	Inspector	Facility Type
OGS00058*AG	OHS00003	November 26, 2012	CEI	S	1

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
My Three Brothers, LLC (d.b.a. KP's Tobacco Outlet) 220 U.S. 35 Ray, Ohio 45672	~9:50 a.m.	March 1, 2010
	Exit Time	Permit Expiration Date
	~11:10 a.m.	December 31, 2014
Name(s) and Title(s) of On-Site Representatives	Phone Number(s)	
Dan Patel	(740) 884-4728	
Name(s), Address and Title(s) of Operator of Record	Phone Number(s)	
N/A (Revis Osborne was onsite for inspection, but not facility ORC)		
Name, Address, and Title of Responsible Official	Phone Number	
My Three Brothers, LLC 1525 Eastern Avenue Gallipolis, Ohio 45631		

Section D: Summary of Findings (attach additional sheets if necessary)	
<p>See cover letter. Facility is looking to submit using eDMR once a PIN gets established. The water level in the treatment plant has not reached an elevation that would discharge, thus no discharge has occurred with this facility in recent times since My Three Brothers acquired the site. In discussions with Dan Patel, the facility flows are so low that we recommend using the trash trap and perhaps the first aeration basin as a holding tank that can be hauled to a Public Owned Treatment Works for treatment.</p>	
Inspector	Reviewer
 <b>Aaron M. Pennington</b> Division of Surface Water Southeast District Office	 <b>Jennifer M. Witte</b> Compliance & Enforcement Supervisor Division of Surface Water Southeast District Office
Date 12-13-12	Date 12/14/12

Average Daily Design Flow:	<b>7,000 Gallons/Day</b>
Plant Serves:	<b>one staff - one restroom</b>
Average Daily Flow:	<b>&lt;50 Gallons/Day</b>
(Period of Review):	<b>(Discussion with facility)</b>
Method of flow monitoring:	<b>water meter</b>
Type of alarms for plant:	<b>various (audible, visual)</b>

### Pretreatment

Type of Pretreatment: **Trash Trap**  
 Does the Trash Trap need pumped: **Yes**  
 Maintenance of pretreatment components is: **Fair**

**Comments/Status:**

In discussions with Dan Patel, the facility flows are so low that we recommend using the trash trap and perhaps the first aeration basin as a holding tank that can be hauled to a Public Owned Treatment Works for treatment.

### Secondary Treatment (Aeration)

Color of sludge:  
 Quality of sludge:  
 Foam: **None Present**  
 Odor: **No objectionable odor present**

	Yes	No		Yes	No
Aeration is taking place	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Plant is septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Blowers are operating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Blowers are on a timer	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Skimmers are operating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Plant is flooded	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diffusers are operating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Grating is present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sludge return is operating	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

Maintenance of aerating equipment is:

**Comments/Status:**

In discussions with Dan Patel, the facility flows are so low that we recommend using the trash trap and perhaps the first aeration basin as a holding tank that can be hauled to a Public Owned Treatment Works for treatment.

### Secondary Treatment (Settling)

Clarity:  
 Condition of Weir:  
 Weir is level:  
 Effluent in weir:  
 Clarifier walls need scraped:

Overall maintenance of settling components is:

**Comments/Status:**

The water level was not to the weir

### Tertiary Treatment

	Yes	No		Yes	No
Surface sand filters:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Distribution box operating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Beds alternated	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are filters ponding/flooding	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Beds raked	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sand filters overgrown	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chlorination present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
UV present	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dechlorination present	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Overall maintenance of settling components is:

**Comments/Status:**

No need yet for pumps to pump to sand filters.

### Sludge Handling/Storage Disposal

Hauler name:  
 Disposal site:  
 Sludge wasted from:  
 How often is sludge wasted:  
 Sludge drying beds:                      Sludge holding tank:

Overall maintenance of settling components is:

**Comments/Status:**

While onsite, Revis Osborne had presented Dan Patel the contact information fo Ron Evans Septic Hauling.

**Record Keeping/Operator of Record**

- (a) Wastewater Treatment Works classification (OAC 3745-7) (if using as holding tank) ..... N/A
- (b) Operator of Record holds unexpired license of class required by Permit ..... N/A
- (c) Copy of certificate of Operator of Record displayed on-site ..... N/E
- (d) Has the Operator of Record submitted an ORC Notification form..... N/E
- (e) Minimum operator staffing requirements fulfilled (OAC 3745-7) ..... N/A
- (f) If a Staffing Reduction plan has been approved, are the stipulations of the plan being met ..... N/A
- (g) Operator of Record log book provided..... N/A
- (h) Format of log book (e.g. computer log, hard bound book)
- (i) Log book kept onsite (in an area protected from weather) ..... N/A
- (j) Log book contains the following:
  - I. Identification of treatment works..... N/A
  - II. Date/times of arrival/departure for Operator of Record and any other operator required by OAC 3745-7 ..... N/A
  - III. Daily record of operator and maintenance activities (including preventative maintenance, repairs and request for repairs, process control test results, etc.) ..... N/A
  - IV. Laboratory results (unless documented on bench sheets) ..... N/A
  - V. Identification of person making entries..... N/A
- (k) Has the Operator of Record submitted written notifications to the permittee, Ohio EPA and, if applicable, any local environmental agencies when a collection system overflow, treatment plant bypass or effluent limit violation has occurred ..... N/A

Comments/Status:

**Plant Discharge**

Discharge point is a:            **Ditch**  
Name of discharge point:       **001**  
Discharge is visible:           **Yes**  
Quality of Effluent:

Comments/Status:

No discharge

