



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

January 22, 2013

GEAUGA COUNTY
MUNSON TWP
MAC'S CONVENIENCE STORE, CIRCLE K
11800 MAYFIELD RD

Mr. Alan J. Cubberley
Mac's Convenience Stores LLC
935 East Tallmadge Avenue
Akron, OH 44310

NOTICE OF VIOLATION

Dear Mr. Cubberley,

On January 10, 2013, this writer conducted an inspection of the sewage treatment plant serving the above referenced facility. The intent of the inspection was to assess the operations and maintenance of the treatment system and review compliance with the National Pollutant Discharge Elimination System (NPDES) permit. At the time of the inspection, this writer also conducted a limited scope site records inspection.

The site records inspection evaluated the facility's operations and maintenance records with respect to the terms and conditions of the facility's National Pollutant Discharge Elimination System (NPDES) permit and Ohio Administrative Code (OAC), Rule 3745-7-09. The inspection revealed that records required pursuant to OAC 3745-7-09(A) (3) are maintained at the facility as required by rule.

According to Agency records, the wastewater treatment system was installed under Ohio EPA Permit-To-Install (PTI) 02-20458, which was effective March 16, 2005. The wastewater system includes a 500-gallon trash trap (existing from previous system), a 1,600-gallon aeration tank, a final settling tank, a 150-gallon dosing tank, a 74 square foot surface sand filter, a 345-gallon chlorination/dechlorination tank. Below are the findings and recommendations from the inspection:

NPDES PERMIT COMPLIANCE

According to the discharge monitoring report (DMR) data from January 1, 2010 through January 1, 2013, flow reported averaged 2000 gpd. The facility has not submitted any DMR's since December 2011. As such, the facility is in violation of the NPDES permit for failing to monitor the effluent and failing to submit discharge monitoring report data. You must begin monitoring the effluent and submitting DMR data immediately to prevent this matter being referred for an enforcement action.

INSPECTION SUMMARY

The wastewater treatment system is located adjacent to the store and a parking lot for a car repair shop. The treatment system is currently not fenced in and therefore is subject to tampering and also potential damage from cars. It is recommended the treatment system be fenced in to prevent any potential damage to the treatment units.

The aeration tank appeared to be provided with a satisfactory air supply and the contents of the tank were a dark brown color. The sludge return line was in operation. The settling chamber appeared clear with some solids accumulation on the surface of the tank. The skimmer appeared to be set at a satisfactory depth within the clarifier. The effluent weir was free of any solids accumulation.

The dosing station appeared to be in good condition. The surface sand filters were covered with snow at the time of the inspection

The chlorination system was not in operation because it is outside the disinfection season. Your NPDES permit includes a compliance schedule located within Part I, C. The compliance schedule is for the submittal of a PTI for the installation of dechlorination at this facility.

The compliance schedule also includes an evaluation of your disinfection facilities for compliance with the new e.coli bacteria limit. The new e.coli bacteria limit will be in the final effluent limits and monitoring requirements table (outfall 001). Your NPDES permit contains both chlorine and bacteria limits which require you to chlorinate (and subsequently dechlorinate) from May through October each year. To date, this office has not received any updates regarding the compliance schedule or a PTI for the disinfection system.

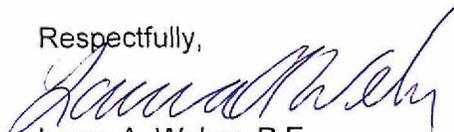
Your wastewater treatment system qualifies as a Class A Wastewater Treatment system. Our records indicate Steve Howe, Charles Newman and Donald Velisek of AKE laboratory are the certified operator of record (ORC) for this facility.

SUMMARY

- 1) You must begin submitting DMR data for the wastewater treatment plant effluent immediately. The effluent must be monitored in accordance with the final effluent limitations and monitoring requirements in the NPDES permit. You will be in violation of the NPDES permit if you fail to monitor the effluent from the system and report the results. Continued noncompliance will result in this matter being referred to our enforcement section.
- 2) You are in violation of Part I, C of the NPDES permit, for failing to submit a PTI for a dechlorination system. You are in violation of Part I, C of the NPDES permit for failing to evaluate the disinfection system serving the facility for compliance with the updated e-coli effluent limits located in the final effluent limitations and monitoring requirements. This office requests you submit a PTI for the disinfection system as soon as possible but no later than March 1, 2013. This office requests that you submit any updates regarding the disinfection systems ability to meet the final effluent limit for E.Coli at outfall 001 as soon as possible but no later than February 10, 2013.

Should you have any comments or questions regarding this letter, please contact this office at (330)963-1299.

Respectfully,



Laura A. Weber, P.E.
Environmental Engineer
Division of Surface Water

LAW/cs

Pc: AKE Environmental & Construction Services, Inc.
Geauga County Health Department, Att: Dave Sage