



**Environmental
Protection Agency**

John Kasich, Governor
Mike DeWine, Lt. Governor
Scott J. Thelen, Director

September 6, 2012

Eric Woodland, Vice President
Old Town Tavern
10985 Winchester Road
Canal Winchester, OH 43110

**Re: Old Town Tavern
NPDES Permit 4PR00101/ OH0136506
Reconnaissance Inspection
Fairfield County
Notice of Violation**

Dear Mr. Woodland:

On September 4, 2012, a Reconnaissance Inspection was conducted at the Old Town Tavern. Present for the inspection were Eric Frischette, representing Old Town Tavern, and Kelly Thiel and myself of the Ohio EPA, Central District Office, Division of Surface Water.

The purpose of the inspection was to evaluate compliance with the terms and conditions of your NPDES permit and to evaluate the operation and maintenance of the plant. The major findings of the inspection are listed below.

- ❖ As discussed in our meeting with Mr. Frischette, it may be beneficial to have our Compliance Assistance Unit (CAU) meet with you to discuss the planned changes to the functionality of the package wastewater plant and perform a plant evaluation prior to instituting any changes to the wastewater treatment process. After reviewing the file, I noted that our CAU had made some recommendations in the past (without a physical visit), so you may want to reconsider the recommendations they made back then. Your contract operator should have the recommendations as they were operating the plant at that time. Please feel free to contact Jon VanDommelen of our CAU to discuss scheduling a visit and plant evaluation (614-644-2011).
- ❖ If the proposed changes to the plant are necessary, then a Permit to Install (PTI) must be submitted to Ohio EPA prior to installation of the recirculation pumps. Please contact Kelly Thiel (614-728-3856) of our office if you have questions about PTI submittal.
- ❖ The facility is currently in significant non-compliance with the NPDES permit. The attached inspection report documents continued monthly violations of permit limits for multiple parameters. Continued violations are unacceptable and if left uncorrected will result in escalated enforcement action.

- ❖ Maintenance at the wastewater plant is woefully inadequate. Solids were passing through the system and were entrained in the sand filter which had pooled water and dark solids throughout. This appeared to have been going on for an extended period. Additionally, the disinfection system had been removed and replaced with a small square net with a tablet floating in the net prior to discharge from the tank. Numerous organisms were noted swimming around the disinfection tank indicating that pollutants were present in the tank and that disinfection was not taking place. Modification of the disinfection system is unacceptable. The disinfection system should be repaired and restored to functionality immediately.
- ❖ The operator log book does not contain the appropriate information needed to evaluate the minimum staffing requirements. The operator must indicate the time spent at the facility. Currently, the operator only indicates the arrival time at the facility and not a departure time. This makes it impossible to determine if the operator is spending adequate time at the facility in accordance with the Class A requirements (at least 2 days per week, for a minimum of 1 hour per week, e.g., two 30 minute visits each week). Please note that these are *minimum* requirements for staffing. Returning to compliance at this particular facility will almost certainly require substantial *additional* time and effort by the operator due to the numerous problems.
- ❖ The wastewater treatment plant may also benefit from the operator staffing the plant on a weekend or evening since these are the periods of time that the facility is busiest. This may not be needed on a permanent basis, but might be helpful for process data collection which may lead to improved treatment. Also, since the wastewater plant does not receive wastes consistently, it may be necessary to add constituents (e.g., dog food) to increase the food supply for the biota in the plant to tide them over during periods of reduced sewage flow. The modifications proposed by the contract operator to recirculate wastes within the equalization basin may also be helpful.

If you have any questions or comments concerning the enclosed inspection report, please contact me at (614) 728-3854 or e-mail at paul.vandermeer@epa.ohio.gov.

Sincerely,



Paul L. Vandermeer
Environmental Specialist
Compliance and Enforcement Unit
Division of Surface Water
Central District Office

c: Kinder Environmental Services, Inc.

ec: Paul L. Vandermeer

NPDES Compliance Inspection Report

SECTION A: NATIONAL DATA SYSTEM CODING

Permit #	NPDES #	Inspection Type	Inspector	Facility Type
4PR00101	OH0136506	RI	S	2
Inspection Date	Entry Time	Exit Time	Notice of Violation	Significant Non-Compliance
9/4/2012	9:55 am	10:30 am	Yes	Yes

SECTION B: FACILITY DATA

Name and Location of Facility Inspected	Permit Effective Date
Old Town Tavern 10985 Winchester Road Canal Winchester, OH 43110	10/1/2007
	Permit Expiration Date
	9/30/2012
Name(s) and Title(s) of On-Site Representatives	Phone Numbers
Eric Frischette, Manager	<i>Not given</i>
Name and Title of Responsible Official	Phone Number
Eric Woodland, Vice President	(614) 325-1482

SECTION C: AREAS EVALUATED DURING INSPECTION

Key: S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated

U*	NPDES Compliance	Significant non-compliance.
U*	Operations & Maintenance	Various problems noted.
U*	Facility Site Review	Operator logbook does not contain time period spent at facility.
N	Collection System	
N	Flow Measurement	
N	Receiving Waters	
N	Laboratory	

Comments: *See comments in body of cover letter.

Signatures

	9/5/12		9/5/12
Paul L. Vandermeer, Inspector Compliance & Enforcement Division of Surface Water Central District Office	Date	Mike Gallaway, Reviewer Section Manager Division of Surface Water Central District Office	Date

Compliance Data for Old Town Tavern between 12/1/2011 to 8/1/2012

Summary

Permit Effluent Limit Violations: 50

Permit Effluent Code Violations: 1

Permit Effluent Frequency Violations: 0

Compliance Schedule Violations: 1

Limit Violations						
Reporting Period	Station	Parameter	Limit Type	Limit	Reported Value	Violation Date
December 2011	001	Total Suspended Solids	30D Conc	12	40.	12/1/2011
December 2011	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	4.87	12/1/2011
December 2011	001	CBOD 5 day	30D Conc	10	37.	12/1/2011
December 2011	001	Total Suspended Solids	1D Conc	18	40.	12/22/2011
December 2011	001	Nitrogen, Ammonia (NH3)	1D Conc	4.5	4.87	12/22/2011
December 2011	001	CBOD 5 day	1D Conc	15	37.	12/22/2011
December 2011	001	Oil and Grease, Hexane	1D Conc	10	25.	12/22/2011
January 2012	001	Total Suspended Solids	30D Conc	12	68.	1/1/2012
January 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	144.	1/1/2012
January 2012	001	CBOD 5 day	30D Conc	10	58.	1/1/2012
January 2012	001	Total Suspended Solids	1D Conc	18	68.	1/19/2012
January 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	4.5	144.	1/19/2012
January 2012	001	CBOD 5 day	1D Conc	15	58.	1/19/2012
February 2012	001	Total Suspended Solids	30D Conc	12	280.	2/1/2012
February 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	181.	2/1/2012
February 2012	001	CBOD 5 day	30D Conc	10	348.	2/1/2012
February 2012	001	Total Suspended Solids	1D Conc	18	280.	2/23/2012
February 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	4.5	181.	2/23/2012
February 2012	001	CBOD 5 day	1D Conc	15	348.	2/23/2012
February 2012	001	Dissolved Oxygen	1D Conc	6.0	4.06	2/23/2012

March 2012	001	Total Suspended Solids	30D Conc	12	27.	3/1/2012
March 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	58.2	3/1/2012
March 2012	001	CBOD 5 day	30D Conc	10	23.	3/1/2012
March 2012	001	Total Suspended Solids	1D Conc	18	27.	3/21/2012
March 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	4.5	58.2	3/21/2012
March 2012	001	CBOD 5 day	1D Conc	15	23.	3/21/2012
April 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	3.0	119.	4/1/2012
April 2012	001	Dissolved Oxygen	1D Conc	6.0	5.18	4/18/2012
April 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	4.5	119.	4/19/2012
May 2012	001	Total Suspended Solids	30D Conc	12	37.	5/1/2012
May 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	22.5	5/1/2012
May 2012	001	CBOD 5 day	30D Conc	10	20.	5/1/2012
May 2012	001	Total Suspended Solids	1D Conc	18	37.	5/17/2012
May 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	1.5	22.5	5/17/2012
May 2012	001	CBOD 5 day	1D Conc	15	20.	5/17/2012
May 2012	001	Dissolved Oxygen	1D Conc	6.0	1.93	5/17/2012
June 2012	001	Total Suspended Solids	30D Conc	12	15.	6/1/2012
June 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	11.2	6/1/2012
June 2012	001	Fecal Coliform	30D Conc	1000	1633.	6/1/2012
June 2012	001	CBOD 5 day	30D Conc	10	49.	6/1/2012
June 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	1.5	11.2	6/21/2012
June 2012	001	CBOD 5 day	1D Conc	15	49.	6/21/2012
June 2012	001	Dissolved Oxygen	1D Conc	6.0	.28	6/21/2012
July 2012	001	Total Suspended Solids	30D Conc	12	14.	7/1/2012
July 2012	001	Nitrogen, Ammonia (NH3)	30D Conc	1.0	152.	7/1/2012
July 2012	001	Fecal Coliform	30D Conc	1000	1084.	7/1/2012
July 2012	001	CBOD 5 day	30D Conc	10	115.	7/1/2012
July 2012	001	Nitrogen, Ammonia (NH3)	1D Conc	1.5	152.	7/19/2012
July 2012	001	CBOD 5 day	1D Conc	15	115.	7/19/2012
July 2012	001	Dissolved Oxygen	1D Conc	6.0	.12	7/19/2012

Code Violations				
Reporting Period	Station	Parameter	Reported Value	Violation Date
May 2012	001	Chlorine, Total Residu	AD	5/17/2012

Missing Compliance Schedule Milestones				
Schedule Due Date	Completion Date	Event Code	Schedule Type	Schedule Milestone
October 2009		5699	Construction	Final Compliance v ' Eff Limits