



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

May 14, 2013

RE: TRUMBULL COUNTY  
BROOKFIELD TWP  
YANKEE LAKE, INC.  
NPDES PERMIT NO. OH0145319  
OHIO EPA PERMIT NO. 3PR00574

John Jurko, Owner  
Yankee Lake, Inc.  
1800 SR 7 NE  
Brookfield, OH 44403

Mr. Jurko:

Ohio EPA conducted a compliance evaluation inspection of the wastewater treatment works serving the above-referenced facility on April 25, 2013. The inspection was performed to evaluate the operation and maintenance of the treatment works, and determine the facility's overall compliance with the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit.

The existing treatment system consists of a 6,000-gallon septic tank serving the restaurant/bar and the party center building, which then flows via gravity to two additional 4,000-gallon septic tanks that serve the ball room. All three tanks are connected in series, and ultimately discharge to a nearby drainage course.

During the inspection, the following observations and/or deficiencies were noted:

1. There have been no upgrades of the wastewater treatment works.

A review of the facility's monthly electronic Discharge Monitoring Reports (eDMRs) for the period March 2013 – May 2013 indicated that you have failed to submit any of the required reporting data since the NPDES permit became effective. A notice advising you of the missing reporting data was mailed to you earlier this month. Please note that failure to submit reporting data as required by the NPDES permit is a violation of the terms and conditions of the NPDES permit.

To submit the required monitoring and sampling data, you must set up an eBusiness account on Ohio EPA's website. Please visit the provided weblink to set up your eBusiness account.

<https://ebiz.epa.ohio.gov/>

For specific questions regarding setting up your account or submitting reporting data, please contact James Roberts of Ohio EPA at (614) 644-2054.

In addition to the inspection findings and the eDMR review, this office also noted that you have failed to meet the requirements of the compliance schedule in your NPDES permit. Specifically, you have failed to comply with milestone 1. The compliance schedule milestones include:

1. *Submit detail plans for plant improvements to meet final table effluent limitations as soon as possible, but not later than 60 days from the effective date of this permit. (Event Code 01299) - **Missed***
2. *Advertise for construction bids, receive bids, and award contracts as soon as possible, but not later than 5 months from the effective date of this permit. (Event Code 01899) - **Not yet achieved***
3. *Commence construction as soon as possible, but not later than 6 months from the effective date of this permit. (Event Code 03099) - **Not yet achieved***
4. *Notify the appropriate Ohio EPA District Office within seven days of construction initiation. - **Not yet achieved***
5. *Complete construction as soon as possible, but not later than 8 months from the effective date of this permit. (Event Code 04599) - **Not yet achieved***
6. *Notify the appropriate Ohio EPA District Office within seven days of construction completion. - **Not yet achieved***
7. *Attain operational level of the treatment works and meet final effluent limitations as soon as possible, but not later than 9 months from the effective date of this permit. (Event Code 56599) - **Not yet achieved***
8. *Notify the appropriate Ohio EPA District Office within seven days of attaining operational level. - **Not yet achieved***

Failure to comply with the requirements of an NPDES compliance schedule is a violation of the terms and conditions of the NPDES permit.

Due to the missed deadline date of compliance schedule milestone 1, and the failure to submit the required eDMR data, Yankee Lake, Inc. is considered to be in **significant noncompliance** with the terms and conditions of the NPDES permit. As such, you must immediately devise, and then execute, a corrective plan of action to address these items. Your corrective plan of action must include the submittal of a Permit-to-Install (PTI) application (by no later than June 14, 2013).

Please consult with a registered, professional engineer to design an appropriate, upgraded wastewater treatment system. The engineer will need to submit their design to Ohio EPA for review and approval in the form of a PTI application package. Please note that a PTI is necessary before any type of upgrades to the treatment works can be made.

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Please note that failure to immediately address the items identified in this letter will result in the matter being referred to Ohio EPA's legal section for appropriate enforcement action. Such actions can result in fines of up to \$10,000 per day of violation. Additionally, this office will consider submitting a request to the Trumbull County Board of Health to have the facility's food service license(s) revoked.

Please provide to this office, within 14 days' receipt of this letter, written documentation describing the actions that have been taken, or will be taken, to address the items described in this letter. Your response shall include specific dates for the initiation and completion of this action plan.

Should you have any questions or concerns regarding this letter, please contact this office at (330) 963-1120.

Respectfully,



Tomás Parry, P.E.  
Environmental Engineer  
Division of Surface Water

TP/cs

cc: Richard Curl, R.S., Trumbull County Board of Health  
James Enyeart, M.D., Trumbull County Board of Health  
Frank Migliozi, R.S., Trumbull County Board of Health

ec: Chris Moody, OHIO EPA, NEDO, DSW  
Dean Stoll, P.E., OHIO EPA, NEDO, DSW