



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

May 21, 2013

RE: TRUMBULL COUNTY
MECCA TWP
2286 GREENVILLE RD
HOLE IN THE WALL BAR
GENERAL PERMIT NO. OHS000003
OHIO EPA PERMIT NO. 3GS00144

Greg Kilpatrick, Owner
JE & GK, LLC
3950 Lakeshore Blvd.
Cortland, Ohio 44410

CERTIFIED MAIL

Mr. Kilpatrick:

Ohio EPA performed 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 single septic tank with a discharge to a nearby storm sewer that is tributary to Mosquito Creek Reservoir. During the inspection, the following observations and/or deficiencies were noted:

1. The facility is open for business.
2. There have been no wastewater treatment upgrades.

This office understands that you have remitted payment to your installer to initiate the construction of the wastewater treatment improvements at the facility. This office also understands that you are currently working through contractual issues with your installer, hence the additional time afforded to you by this office to complete the project. Your latest correspondence to this office (email dated March 1, 2013) indicated an anticipated construction completion date of April 30, 2013. However, the inspection indicated that construction has not yet been initiated.

Ohio EPA cannot continue to allow the discharge of untreated or partially treated sewage to waters of the state. As such, construction of the wastewater treatment improvements must be completed by no later than 120 days from the receipt of this notification.

In addition to the inspection findings, a review of the facility's monthly electronic Discharge Monitoring Reports (eDMRs) received by Ohio EPA for the period December 2012 – April 2013 indicated that you have failed to submit any of the required reporting data since the permit became

effective on December 1, 2012. Ohio EPA has mailed out multiple notices in the past advising you of the need to submit the required reporting data. The failure to submit reporting data as required by the NPDES permit is a violation of the terms and conditions of the NPDES permit, and places the facility into **significant noncompliance**.

For your reference, the NPDES permit may be accessed and downloaded from the following weblink:

http://www.epa.ohio.gov/portals/35/permits/SmallSanitary_Final_GP_dec09.pd

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

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

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

Please note that this office will consider referring this matter to Ohio EPA's legal section for appropriate enforcement action should the wastewater treatment improvements for the facility not be completed within the timeframe specified in this letter. Such actions can result in fines of up to \$10,000 per day of violation. Additionally, past or current acts of noncompliance can continue as subjects of future enforcement actions.

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 comments regarding this letter, please contact this office at (330) 963-1120.

Respectfully,

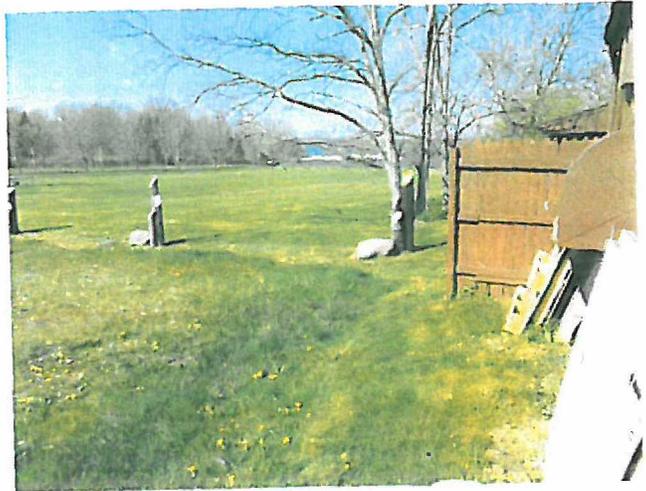


Tomás Parry, P.E.
Environmental Engineer
Division of Surface Water

TP/cs

Attachments: Photographs

cc: Steve Kramer, R.S., Trumbull County Board of Health



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Gregg Kilpatrick</u> C. Date of Delivery <u>5-23-13</u></p>
<p>1. Article Addressed to:</p> <div style="background-color: #00b0f0; color: black; padding: 5px; margin-top: 10px;"> <p>Greg Kilpatrick, Owner JE & GK, LLC 3950 Lakeshore Blvd. Cortland, Ohio 44410</p> </div>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <u>7012 1010 0002 2260 1403 JSC</u></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt <u>5-21-13</u> 102595-02-M-1540</p>	

