



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

Re: **Notice of Violation**
Ottawa County
Ernesto's
NPDES Permit

July 2, 2013

Mrs. Debra Mate
President
Ernesto's Inc.
20825 West State Route 51
Genoa, Ohio 43430

Dear Mrs. Mate:

On June 18, 2013, an inspection was made of the wastewater treatment facilities serving Ernesto's Restaurant. Both operation and maintenance appeared good. At the time of my visit, all major treatment components were in operation and a clear effluent was observed in the catch basin.

One item that needs addressed is the installation of disinfection and dechlorination facilities at the plant. Your National Pollutant Discharge Elimination System (NPDES) permit included a Compliance Schedule (enclosed) that provided two years, until May 1, 2012, to install the necessary improvements. A Permit to Install (PTI) was issued August 20, 2012; however, the improvements have not been installed. Please be aware that you have been in violation of your NPDES permit Schedule of Compliance since May 1, 2012.

I recently received your May 16, 2013, email informing me of contractor issues and financial concerns, but also you are planning to complete the project this summer. Please inform me within 14 days of your plan to comply with the schedule indicating installation within 60 days.

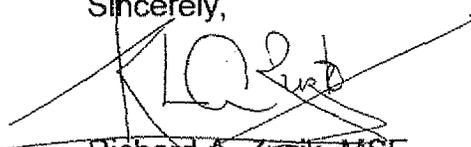
NPDES permits are legal documents and non-compliance will subject you to enforcement action from this agency. Should you fail to satisfactorily respond, I am prepared to recommend escalated enforcement action in order to gain your compliance.

Mrs. Debra Mate
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Your NPDES permit discharge monitoring reports are being received in a timely manner and indicate compliance with effluent limitations since the beginning of 2012. I would like to note that the initial bacteria analysis was not provided for in the June 2012 quarterly sampling period. Please ensure that all analyses are performed in accordance with your permit.

My inspection report is enclosed. If you have any questions, please call me at (419) 373-3020 or email at rick.zuzik@epa.ohio.gov.

Sincerely,



~~Richard A. Zuzik, MSE
Division of Surface Water~~

/jlm

Enclosures

pc: Ottawa County Health Department
Eastwood Environmental

ec: Tracking

OHIO ENVIRONMENTAL PROTECTION AGENCY
 OPERATION AND MAINTENANCE INSPECTION
 WWTP'S LESS THAN 150,000 GPD

NPDES Permit No. 2PR 00153 * A1

Facility Name Ernesto's Restaurant Expiration Date 5-31-15
 Facility Location 20825 W. SR 51 Date 6-18-13 Time 11:50 (am/pm)
 City - County Ottawa Township Clay
 Name of Owner Debra Mate Owner Phone (419) 855-9063
 Person Contacted - Operator of Record Castwood Env.
 Flow Design 300 GPD WWTP Classification: 1 A or 1 I
 Trib. Pop. 78 seats (actual-estimated) Weather at time of inspection: Temp 70° Cloudy
 OEPA Personnel Rick Zuzik District NWDO

1. Plant Effluent - Mark Severity No.

No.	Severity Description	Turbidity	Odor	Color
<u>0</u>	None	Clear	None	Colorless
1	Mild			
2	Moderate	Light Solids	Musty	Grey
3	Serious			
4	Extreme	Heavy Solids	Septic	Black

2. Effect of Effluent on Receiving Stream - Name: CB to Toussaint Creek - Not Observed

	None	Mild	Moderate	Serious
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3. a. Plant has _____ excellent ✓ good _____ fair _____ poor operation
 b. Plant has _____ excellent ✓ good _____ fair _____ poor maintenance
 c. Sand filters have _____ excellent _____ good _____ fair _____ poor maintenance- N/A

Not operating at expected efficiency due to:

- (1) _____ hydraulic overload
 (2) _____ organic/solids overload
 (3) _____ personnel inefficiency
 (4) _____ equipment failure
 (5) _____ wastes
 (6) _____

Disinfection: (Required May 1 thru Oct. 31)	
IN	OUT
_____	_____
_____	_____
_____	_____

Chlorination Tablets
 Dechlorination Tablets
 Ultraviolet (U.V.)

Yes No (Effluent limitations)

4. ✓ Compliance with NPDES Permit - Time Period: 1/12 to 5/13

Schedule of Compliance
Violation since 5-1-12 for
disinfection/dechlor.

Periodic Violations Y N Parameters: _____
 Chronic Violations ✓ _____

5. ✓ O & M logbook kept and available on site: Location _____

6. ✓ Staffing Requirement Met (Class A - 2 days per week for minimum 1 hour per week)
 (Class I - 3 days per week for minimum 1.5 hours per week)

7. ✓ Adequate Plant Safety: Deficiencies _____

Facility Name: Ernesto's

Process	# Units	Unit	If Needed - Description and Comments
Preliminary	1	Trash Trap	Pumping Frequency
		Grease Trap	Pumping Frequency
		Bar Screen	
		Comminutor	
		Flow Equalization	
Aeration Equipment	2	Plant Timer ____Y ____N	Cycle Time:
		Motor / Blower Unit	
Secondary Treatment	1	Aeration Tank	Color: <u>light Brown</u> Adequate Aeration Y <input checked="" type="checkbox"/> N
Final Settling	1	Clarifier	
		Sludge Return	In <input checked="" type="checkbox"/> Out
		Surface Skimmer	In <input checked="" type="checkbox"/> Out
		Fixed Media Clarifier	
Tertiary Treatment		Surface Sand Filter	
		Polishing Pond	
		Other	
Disinfection		Contact Tank	
		Chlorine Tube Feeder	
		Dechlorination Tube Feeder	
		Ultraviolet (UV)	
Flow Metering		Elapsed Pump Time	
		Recorder (continuous total)	
Pumps		Raw Wastewater (type)	
		Sand Filter Effluent Dosing	
Sludge Handling		Aerated Storage Tank	
		Sludge Drying Bed	
Sludge Disposal	/	Municipal PDTW	
		Landfill	
		Land Application	
Advanced Treatment		Post Aeration	
		Spray Irrigation	
		Other	

Part I, C. - SCHEDULE OF COMPLIANCE

Treatment Plant Construction Schedule

1) The permittee shall make the following improvements necessary to meet final effluent limitations. Improvements shall be made as expeditiously as possible, but shall be operational no later than 24 Months from the effective date of this permit or May 1, 2012.

a) Installation of adequately sized effluent disinfection and dechlorination equipment necessary to meet final table E. Coli bacteria and chlorine residual limits.

2) A Permit to Install (PTI) application with detail plans shall be submitted to the Northwest District Office no later than 18 Months after the effective date of this permit.