



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

August 27, 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

Mr. Kilpatrick:

Ohio EPA performed a follow-up compliance evaluation inspection of the wastewater treatment works serving the above-referenced facility on July 30, 2013. The inspection was performed to evaluate the overall operation and maintenance of the treatment works, and determine the facility's 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.
3. Concrete tanks were observed on the property.

A review of the facility's monthly electronic Discharge Monitoring Reports (eDMRs) received by Ohio EPA for the period May 2013 – July 2013 was performed by this office. The eDMR review indicated that for the months of May 2013, June 2013, and July 2013, the facility has been reporting "AL", or no discharge for the month. It is this office's understanding that the facility has been open for business during these months. Therefore, please provide documentation describing how it was determined that there has been no discharge from the facility's existing treatment works during this time period. Please note that the NPDES permit requires that **any** discharge be quantified and reported.

In addition to the inspection findings and eDMR review, this office received a copy of a letter from the Keating Law Office addressed to your installer, Mr. Berry Meadows, indicating potential litigation being initiated against Mr. Meadows should the installation of the wastewater system not be completed by September 13, 2013. Please provide a status update regarding the installation of the wastewater treatment system.

Please note that as was mentioned in this office's last letter addressed to you on May 21, 2013, the new wastewater treatment system must be installed by no later than 120 days from your receipt of that letter, which was May 23, 2013. Failure to have the new system installed within this timeframe will result in the matter being referred to Ohio EPA's legal section for appropriate enforcement action. Additionally, this office will consider submitting a written request to the Trumbull County Board of Health requesting that the facility's food service license be revoked/suspended.

Your written status update must be submitted to this office within 14 days' receipt of this letter, and shall contain, at a minimum, an updated proposed construction schedule.

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

Respectfully,

A handwritten signature in cursive script that reads "Tomás Parry".

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

TP/cs

Attachments: Photographs

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

