Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

DDGWOH5736512617431 8

February 22, 2012

NOTICE OF VIOLATION – ACTION REQUIRED

Terry Smith
Jackass Flats
6024 Rip Rap Road
Dayton, OH 45424

Montgomery County
Jackass Flats PWS
TRANSIENT NON COMMUNITY PWS
PWS ID: OH5736512

Subject: Failure to Monitor Drinking Water

Jackass Flats is in violation of Ohio Administrative Code Rule (OAC) 3745-81-23 for failing to monitor your drinking water during the October 1 to December 31, 2011 monitoring period and/or report results for the following contaminants: NITRATE.

In order to return to compliance, Jackass Flats must take the following actions:

1. Immediately collect a sample of your drinking water from the entry point (first tap after treatment).
2. Submit the sample for analysis to a certified laboratory on the enclosed list.
3. Notify your customers using the enclosed instructions and public notice.
4. Complete and return the enclosed verification form to this office.

Your prompt attention to this matter is greatly appreciated. Continued noncompliance may lead to enforcement actions. If you have any questions, or if the required sample analysis was performed, please call me at (614) 644-2752.

Sincerely,

Wendy Sheeran

Wendy Sheeran

Division of Drinking and Ground Waters

Enclosure: Laboratory List, Public Notice, Verification Form

ec: DDAGW CO file

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

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DRINKING WATER NOTICE

Monitoring requirements not met for Jackass Flats

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the October 1 to December 31, 2011 time period we did not monitor for the following contaminants and therefore cannot be sure of the quality of our drinking water during that time: NITRATE.

What Should I Do?

This notice is to inform you that Jackass Flats did not monitor and report results for the presence of the contaminants listed above in the public drinking water system during the Fourth Quarter of 2011, as required by the Ohio Environmental Protection Agency. You do not need to take any actions in response to this notice.

What Is Being Done?

Upon being notified of this violation, the water supply was required to have the drinking water analyzed for the above mentioned parameters. The water supplier will take steps to ensure that adequate monitoring will be performed in the future.

Additional information may be obtained by contacting Jackass Flats at:

Contact Person: _____.

Phone Number: _____.

Mailing Address: _____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

PWSID: OH5736512 Facility ID: 5756662

Date Distributed: _____

PUBLIC NOTICE INSTRUCTIONS AND VERIFICATION FORM FOR NONCOMMUNITY PUBLIC WATER SYSTEMS WITH TIER 3 VIOLATIONS

The owner or operator of a noncommunity public water system with a Tier 3 violation or situation shall notify the persons served by the public water system as soon as practical but **no later than 30 days** after the system learns of the violation. Public notice issued by posting shall remain in place as long as the violation or situation persists. Public notice issued by other methods shall be repeated annually as long as the violation or situation persists.

I HEREBY CERTIFY THAT THE PUBLIC WAS NOTIFIED BY THE FOLLOWING METHOD(S) INDICATED BELOW, AS DESCRIBED IN THE OHIO ADMINISTRATIVE CODE RULE 3745-81-32:

Required Method of Public Notification	Actual Method of Public Notification
Use one or more of the following methods to reach all persons served by the public water system: 1. Public notice issued by posting in conspicuous locations throughout the distribution system (required to remain posted for as long as the violation exists, but in no case less than 7 days 2. Public notice issued by mail or other direct delivery to each customer and service connection (where known).	**Describe actual methods used to notify public of the violation:** 1A. Dates of posting _____ 1B. Locations of posting _____ _____ _____ 2. Date of mailing/delivery _____
Schools and Day-Care Facilities must notify parents or guardians of children being served by methods besides posting, such as a newsletter, e-mail notice, or direct mailing	A. Method(s) _____ _____ B. Date(s) _____
If the above methods do not reach all persons served, also use any other method reasonably calculated to reach other persons served by the system (e.g. publication in a local newspaper or newsletter, use of e-mail to notify employees or students, or delivery of multiple copies to central locations).	A. Method(s) _____ _____ _____ B. Date(s) _____

Please check if the public notice used was provided by Ohio EPA (other side of this form) or another acceptable notice was used:

____ A public notice as shown on the other side of this sheet was issued without changes.

____ A different public notice was issued. **INCLUDE A COPY OF THE PUBLIC NOTICE.**

_____
Signature of Responsible Person Date

_____
Printed Name and Title of Responsible Person

PWS NAME: Jackass Flats PWS
PWSID: OH5736512
Facility ID: 5756662
COUNTY: Montgomery
MONITORING, ROUTINE MAJOR
Fourth Quarter of 2011; Vio Id 6174318

For Ohio EPA Use Only:
Date PN received: _____
PN acceptable: _____ PN not acceptable: _____.