



**Environmental
Protection Agency**

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

April 26, 2011

RE: Geauga County
Dairy Island
Transient Water System
PWSID#: OH2870812

Dairy Island
8295 E. Washington Street
Chagrin Falls, Ohio 44023
ATTN: Jim & Susan Cibik

Certified Mail

Dear Mr. and Mrs. Cibik:

The Dairy Island public water system (PWS) has violated Ohio's safe drinking water law. Specifically, the PWS has exceeded the maximum contaminant level (MCL) for total coliform bacteria, failed to monitor total coliform bacteria as required, and failed to obtain plan approval prior to making a substantial change at the PWS.

Owners or operators of public water systems that fail to comply with Ohio's safe drinking water laws and regulations are subject to civil penalties of up to \$25,000 per day per violation under Ohio Revised Code Section 6109.33.

To resolve your drinking water violations and avoid possible legal action and civil penalties, it is agreed that Dairy Island will:

1. In accordance with OAC Rule 3745-81-21, you are required to monitor for total coliform bacteria with a minimum of one routine sample per quarter from the distribution system and perform any required repeat monitoring. However, due to the fact that your PWS is a seasonal system and that you have had total coliform MCL violations in the recent past, you agree to monitor for total coliform bacteria with a minimum of one routine sample per month during the months you are open in 2011, as well as to perform any required repeat and routine monitoring should you obtain a total coliform positive result.
2. Comply with the monitoring and reporting requirements in accordance with the 2011 and all future contaminant monitoring schedules.
3. Within thirty (30) days of the effective date of this agreement, in accordance with OAC Rule 3745-9-05(S)(4), remove the check valve located between the well and pressure tank. Afterward, disinfect the well and distribution system in accordance with OAC Rule 3745-9-08.

4. Within thirty (30) days of the effective date of this agreement, install a raw water sample tap, and then disinfect the well and distribution system in accordance with OAC Rule 3745-9-08.
5. If total coliform sampling begins to again show positive results, then proceed with corrective action and further investigation methods (see below). Please consult with Kathy Metropulos or Dave Maschak in Ohio EPA's Northeast District Office prior to undertaking these activities.
 - a. Hire a well driller to inspect the well with a down-hole camera to check for cracks in the casing, as well as to clean out any sediment that was left after the well was cleaned in 2010;
 - b. Disinfect the well and system, per OAC 3745-9-08 (attached);
 - c. Purge the pressure tank at least twice by shutting off the power to the tank and draining it each time;
 - d. Take a set of four total coliform samples labeled "special purpose"; then,
 - e. Should corrective actions fail to resolve the total coliform issues, you will be required to take further action, which may include installing treatment or obtaining an alternative source of water (e.g., tie into the city's water system).
6. In accordance with OAC Rule 3745-91-08(G)(1), "no person shall make any substantial change in a PWS that is not in accordance with plans approved by the Director." At an April 12, 2011 sanitary survey, Ohio EPA became aware that a substantial change had been made at the PWS by installing a UV disinfection unit without first obtaining Director's plan approval.

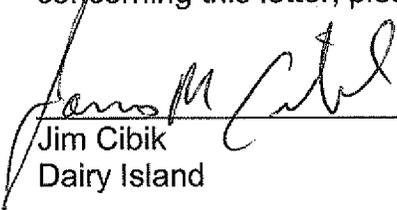
Within sixty (60) days of the effective date of this BCA, submit detail plans (three copies) to Ohio EPA for the UV disinfection system that was installed without plan approval, in accordance with OAC Chapter 3745-91. Within thirty (30) days of receipt of notification, respond in writing to address any comments or deficiencies noted by Ohio EPA on the detail plans or other documentation submitted. Within thirty (30) days of detail plan approval, make any required changes to the system in accordance with detail plans approved by Ohio EPA and OAC Chapter 3745-91.

Sincerely,



Michael G. Baker, Chief
Division of Drinking and Ground Water

If it is your intent to comply with the safe drinking water laws and regulations in the manner specified, please sign this document and return it to the attention of Julie Gillenwater at Ohio EPA, DDAGW, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049, within fourteen (14) days. Your signature is not considered an admission of guilt, only an indication of your intention to address the violations noted. Ohio EPA reserves its right to seek civil penalties pursuant to Revised Code 6109.33 for the violations described in this letter. If you have any questions concerning this letter, please call Julie Gillenwater at (614) 644-2752.



Jim Cibik
Dairy Island

26 Apr 11

Date

Susan Cibik
Dairy Island

Date