



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korieski, Director

OH7709112 PENGUIN CONDOMINIUMS

23 08/25/10 A



**NOTICE OF VIOLATION – ACTION REQUIRED**

August 26, 2010

**RE: SUMMIT COUNTY  
PENGUIN CONDOMINIUMS  
COMMUNITY  
PWS ID: OH7709112**

Mr. David Barnett  
Barnett Management, Inc.  
3681 Green Road Suite 305  
Beachwood, OH 44122

**Subject: Failure to Sample Drinking Water for Total Coliforms as Required**

Dear Mr. Barnett:

Penguin Condominiums is in violation of Ohio Administrative Code (OAC), Rule 3745-81-21 for failure to comply with the total coliform monitoring.

**Monitoring Period:** July 2010  
**Required Coliform Monitoring:** 1 routine per Month  
**Sample Results Submitted:** 0

To ensure the safety of drinking water provided by your system monitoring for total coliforms is essential.

**ACTION REQUIRED:**

- 1. Notify the people served by this water system** using one or more of the methods and the timing as required by OAC, Rule 3745-81-32 to reach all persons served.

**Timing:** As soon as practical, but no later than one year after learning of the violation:

- Mail or other direct delivery to each customer; OR
- Annual Consumer Confidence Report provided it's distributed within one year after learning of the violation; and
- If necessary to reach all persons regularly served, use other notification methods such as newspaper publication, public posting or Internet posting;
- Posted notices must remain in place as long as the violation or situation exists, but in no case less than seven days (even if the violation is resolved). The language in italics on the enclosed public notice is mandatory and must be included, as written. Do not make changes to the public notice without consulting with the Ohio EPA beforehand.

- 2. Complete the enclosed Verification Form within 10 days of issuing the Public Notice** and mail it to Ohio EPA - NEDO. Include a copy of each notice distributed, published or posted.

**Northeast District Office**  
2110 East Aurora Road  
Twinsburg, OH 44087-1924

330 | 963 1200  
330 | 487 0769 (fax)  
[www.epa.ohio.gov](http://www.epa.ohio.gov)

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If total coliform samples were collected as required, submit the results as soon as possible. The monitoring violation would be rescinded and a reporting violation given for late submittal of the results.

If you have any questions, contact this office at me at (330) 963-1248.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Robert Henn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

J. Robert Henn  
Environmental Specialist  
Division of Drinking and Ground Waters

JRH:dms

enclosures: Tier 3 Public Notification  
Public Notice Instructions & Verification Form

cc: Summit County Health Department  
Information Management Section, DDAGW, CO