



**Environmental
Protection Agency**

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

OH7755312 RICHFIELD DAIRY QUEEN

22 07/28/10



NOTICE OF VIOLATION – ACTION REQUIRED

July 28, 2010

**RE: SUMMIT COUNTY
RICHFIELD DAIRY QUEEN
NON-COMMUNITY, TRANSIENT
PWS ID: OH7755312**

Mr. Dan Nason
4815 Brecksville Road
Richfield, OH 44286

**SUBJECT: VIOLATION OF TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL (MCL)
DURING APRIL-JUNE 2010**

Dear Mr. Nason:

Richfield Dairy Queen is in violation of the Maximum Contaminant Level (MCL) for Total Coliform established by Ohio Administrative Code (OAC), Rule 3745-81-14. Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially-harmful bacteria may be present.

As stated in a letter sent July 7, 2010, a routine sample was collected from your facility on and determined total coliform positive. OAC Rule 3745-81-21 requires four repeat samples to be collected in a timely fashion and on the same day upon notification of the positive routine sample result(s). Richfield Dairy Queen did not collect the four required repeat samples and therefore are in violation of the OAC. A public notice water use advisory was required to be issued because of this violation. The public notice for the water use advisory must remain in effect until you obtain one complete set of four repeat samples that are determined total coliform negative.

ACTION REQUIRED:

- 1. Investigate and eliminate the cause of bacterial contamination.** Special purpose samples may be collected to investigate the source of contamination or to verify elimination of the problem (these samples cannot be collected to comply with monitoring or MCL requirements; label samples as "special purpose").
- 2. Notify the people served by this water system.** Within 30 days issue the enclosed public notice in accordance with OAC, Rule 3745-81-32 by the following method(s) to reach all persons served.
 - Posting in conspicuous locations, such as bulletin boards, restrooms, drinking fountains, vending areas;
 - Mail or other direct delivery to each customer;
 - Send to parents or guardians of children at schools or day care facilities E-mail, newsletters or newspaper;

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

330 | 963 1200
330 | 487 0769 (fax)
www.epa.ohio.gov

RICHFIELD DAIRY QUEEN

JULY 28, 2010

PAGE 2

- Posted notices must remain in place for as long as the violation exists, but in no case for 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 Ohio EPA beforehand.

3. 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.

4. Monitor with at least five (5) routine samples in the month following (July 2010) a routine total coliform-positive result in accordance with OAC, Rule 3745-81-21(B)(7).

If you have any questions, contact me at 330-963-1227.

Sincerely,



Ursula Musselman
Environmental Specialist
Division of Drinking and Ground Waters

UM:ds

enclosures: Tier 2 Public Notification
Public Notice Instructions and Verification Form

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