

**Environmental
Protection Agency**

Commissioner, Governor
Deputy Commissioner, Lt. Governor
Chief Engineer, Director

OH8559712 J.M. SMUCKER COMPANY STORE AND CAFE | 34 12/15/10 A



NOTICE OF VIOLATION – ACTION REQUIRED

December 15, 2010

RE: WAYNE COUNTY
J.M. SMUCKER COMPANY STORE & CAFE
NON-COMMUNITY, TRANSIENT
PWS ID # OH8559712

Mr. David E Bayus
1 Strawberry Lane
Orrville, OH 44667-0280

Subject: Failure to Sample Source Water for Fecal Indicators (Total Coliform) as Required

J.M. Smucker Company Store And Cafe PWS is in violation of Federal Code, Rule 141.402 for failure to comply with the Ground Water Rule monitoring.

Monitoring Period:	December 2010
Required Monitoring:	1
Sample Results Submitted:	0

ACTION REQUIRED:

- 1. To address this violation, return to compliance, and prevent federal enforcement action, the required source water samples must be collected. Failure to collect the required source water sample(s) may result in enforcement action by the United States Environmental Protection Agency (USEPA).** If source water (raw) samples were collected as required, submit the results to the appropriate Ohio EPA District Office as soon as possible. The monitoring violation would be rescinded and a reporting violation given for late submittal of the results. If raw water samples were not collected, they must still be collected and Ohio EPA must receive results to return to compliance and prevent referring this violation to USEPA.
- 2. 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 30 days after learning of the violation:

- Posting in conspicuous location, such as bulletin boards, restrooms, drinking fountains, vending areas;
- Mail or other direct delivery to each customer;
- Newsletters or newspaper;
- E-mail to employees or students;
- Send to parents or guardians of children at schools or day care facilities;

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- 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.

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.

If you have any questions, contact me at 330-963-1194.

Sincerely,



Beth R. Madis
Environmental Specialist
Division of Drinking and Ground Waters

BRM/ams

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

cc: Wayne County Health Department
Information Management Section, DDAGW, CO
Kim Etters, DDAGW, NEDO