State of Ohio Envir
Northea

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

NOTICE OF VIOLATION – ACTION REQUIRED

April 28, 2008

RE: SUMMIT COUNTY
THE UPPER DECK
TRANSIENT NON COMMUNITY
PWS ID: OH7744712

The Upper Deck
357 West Turkeyfoot Lake Road
Akron, OH 44319

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

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

Monitoring Period: January - March 2008
Required Coliform Monitoring: 1 / Calendar Quarter
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. The appropriate methods for your system are listed below under the **Transient Non Community** column.

Public Community	Transient or Non Transient Non Community
Timing: As soon as practical, but no later than one year after learning of the violation:	**Timing:** As soon as practical, but no later than 30 days after learning of the violation:
Methods: • 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	**Methods:** • 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
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 - Northeast District Office. Include a copy of each notice distributed, published or posted.

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 me at 330-963-1227.

Sincerely,

Ursula Musselman
Environmental Specialist
Division of Drinking and Ground Waters

UM:ds

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

cc: Summit County Health Department
Northeast District Office Files
Information Management Section, DDAGW, CO