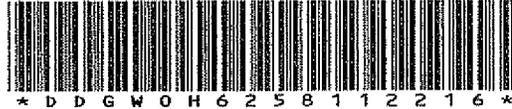




**Environmental  
Protection Agency**

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



May 2, 2012

**NOTICE OF VIOLATION – ACTION REQUIRED**

**CERTIFIED MAIL**

Mr. Edmund Gudenas  
St. Hazards  
1233 Fox Road  
P. O. Box 69  
Middle Bass Island, Ohio 43446

Ottawa County  
St. Hazards  
Transient Non-Community PWS

PWS ID: OH6258112

**Subject: Notice of Violation for Failure to Respond to a Significant Deficiency**

Dear Mr. Gudenas:

The Public Water System serving St. Hazards is in violation of the Ohio Administrative Code (OAC) for failing to respond to significant deficiencies in writing within 30 days. There are numerous outstanding issues of compliance with Ohio's drinking water regulations.

This letter is notification that the St. Hazards PWS has not yet complied with requirements issued during this Agency's last on-site sanitary evaluation survey performed on June 10, 2011, and July 7, 2011, and therefore, is in violation of Rule 3745-81-60 (D) of the Ohio Administrative Code (OAC). You were notified in an Ohio EPA correspondence dated August 4, 2011, that you must respond in writing within 30 days, indicating how and in what time frame (schedule of compliance) the system will address the following requirements:

1. Each person owning or operating a public water system shall designate one or more operator of record to oversee the technical operation of the public water system. Each operator of record shall have a valid certification of a class equal to or greater than the classification of the public water system.

As a transient non-community public water system which serves a population of more than two hundred fifty, St. Hazards is classified as a class A water system.

St. Hazards did not have a designated operator on June 10, 2011. However, on July 7, 2011, an Operator of Record (ORC) Notification Form as completed designating Shawn Daley as the ORC. Ensure the form is submitted to Ohio EPA. [OAC Rule 3745-7-02 (A) (1)]

2. Establish a written inspection and maintenance program that documents regular inspections and notes any problems or repairs made to the well or water system. Some of the formats in which records may be maintained include, but are not limited to, hard bound books with consecutive page numbering, time cards, separate operation and maintenance records, or well organized computer logs.

The following information shall be recorded: (a) Identification of the public water system; (b) Date and times of arrival and departure for the operator of record; (c) Specific operation and maintenance activities that may affect quality or quantity of water produced; (d) Results of tests performed and samples taken, unless documented on a laboratory sheet; (e) Performance of preventative maintenance and repairs or requests for repair of the equipment that affect or have the potential to affect the quality or water produced; and (f) Identification of the persons making entries.

The records shall be accessible onsite for twenty-four hour inspection by agency or emergency response personnel. [OAC rule 3745-7-09 (A)]

3. Replace the cap on Well #2 with one that has a watertight connection and conforms to "Water System Council Pitless Adapter Standard PAS-97". [OAC rule 3745-9-05 (P)]
4. A vent shall be provided on all well caps and seals. Install on Well #2, a vented casing cap that is self-draining, screened with a non-corroding mesh screen of fifteen to thirty mesh, and pointed downward at or above the top of the casing or pitless unit. The vent shall terminate not less than twelve inches above ground surface [OAC rule 3745-9-05 (T)] and both wells #1 and #2 must be vented at least 3 feet above the 100 year flood level. [OAC rule 3745-9-05 (Q) (1)]
5. Properly seal the two unused wells on the property. OAC rule 3745-7-01 (B) states that an "abandoned well means a well, test hole, or dry hole whose use has been permanently discontinued." OAC rule 3745-9-10 (A) states that "an abandoned well shall be sealed in accordance with this rule and Rule 3745-9-07 of the Administrative Code." Proper abandonment of wells is essential in protecting ground water resources. The 'State of Ohio Technical Guidance For Sealing Unused Wells' (1996) shall be used as a guide and is available at <http://www.dnr.state.oh.us/Portals/7/pubs/pdfs/wellsealing.pdf>
6. Consumer complaints regarding loss of water pressure and complete loss of water at the St. Hazards resort have been noted by Ohio EPA, NWDO. The public water system must report to the district office as soon as possible, but within twenty-four hours, the discovery of any serious plant breakdown or condition causing or likely to cause any discharge of water not in accordance with section 6109 of the Revised Code or the rules adopted thereunder; any major interruption in service or disinfection; or any hazard for employees, consumers, the public, or the environment. [OAC rule 3745-83-01 (I) (3)]

The certified operator must ensure the water system pressure is appropriately maintained and shall fully comply with OAC rule 3745-7-09 (B), including performing their duties in a responsible and professional manner consistent with standard operating procedures and best management practices; and operating and maintaining the public water system and appurtenances so as not to endanger the health or safety of persons working in or around the facility, the public at large, or the environment due to negligence or incompetence.

7. Perform a survey of the public drinking water system, including the restaurant, condo and camping facilities (also the wastewater treatment plant and auxiliary water irrigation system) to determine where cross-connections exist and backflow prevention is required according to Rule 3745-95-03 (A) of the Administrative Code. Evaluate the degree of hazard and install approved backflow prevention devices as warranted according to Rule 3745-95-04 of the Administrative Code. Documentation that such devices have been installed shall be submitted to this office.

Additionally, you must determine the source of water for the fire suppression system. If the drinking water wells are determined to be the source for the system, then an approved backflow prevention device must be installed on the line feeding the fire suppression system.

8. Ensure that backflow prevention devices are tested every 12 months. [OAC rule 3745-95-06 (C) (3)]
9. Submit a drawing showing the location of the booster/jockey pump and explain the function of the pump. The installation of that pump is considered a substantial change in the distribution section of the public water system. [OAC rule 3745-91-01 (C)] The Detail Plans approved by Ohio EPA on September 26, 1997 (Application No. NW-3357-WS) do not contain a booster/jockey pump at the water treatment plant. [OAC rule 3745-91-02 (A) & OAC rule 3745-91-08 (G) (1)]
10. Provide a properly screened atmospheric vent on the clearwell. The vent should open downward with the opening at least 24 inches above the roof and covered with twenty-four mesh non-corrodible screen [Recommended Standards for Water Works, 2007 Edition (RSWW), Section 7.0.9]. The Detail Plans approved by Ohio EPA on September 26, 1997 (Application No. NW-3357-WS) indicate that a "3 inch vent will be provided with a 24 mesh screen." Failure to install this vent is a violation of plan approval. [OAC rule 3745-91-08 (G) (1)]
11. Install an overflow on the clearwell. The Detail Plans approved by Ohio EPA on September 26, 1997 (Application No. NW-3357-WS) indicate a "3 inch screened overflow at tank top turn down with bend." Failure to install this overflow is a violation of plan approval. [OAC rule 3745-91-08 (G) (1)]

12. Seal the prefabricated ports in the clearwell to prevent leakage. (RSWW 7.0.10)  
The Detail Plans approved by Ohio EPA on September 26, 1997 (Application No. NW-3357-WS) indicate that a "4 inch Tuff-Tite Seal" will be provided. The ports were leaking at the time of the survey. Failure to seal these ports as noted is a violation of plan approval. [OAC rule 3745-91-08 (G) (1)]
13. According to a letter from Industrial Fluid Management dated November 7, 2007, condominium owners do have access to water during the winter months. You also indicated recently to JoAnn Sabo, Ohio EPA, DDAGW, that this may still be the case. St. Hazards must maintain the public water system in accordance with all applicable rules and regulations for the entire calendar year, or provide documentation each season that the public water system has been completely shut down (winterized) and that water is not being produced or available for use.

On April 19, 2012, I conducted an on-site limited scope site visit (LSSV) at St. Hazards. Uni-Tech Environmental Services personnel Christina Douglas-Faith, Shawn Daley, and Dave Houghtlen were interviewed and the water system was inspected in their presence. As a result of the LSSV, it was observed that survey requirements 1 and 2 were adequately addressed. However, it was necessary to include an additional requirement:

14. Reconnect and put into service the second high service pump. That pump was observed to have been disconnected from its power source. Additionally, properly maintain the operation of the other high service pump. That pump was observed to have been short-cycling every 13 seconds. Failure to properly maintain and operate the high service pumps is a violation of detail plan approval.  
[OAC Chapter 3745-91 (G) (1)]

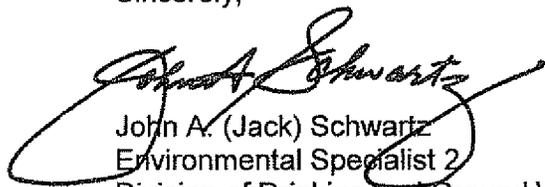
Ohio EPA strongly encourages you to contact us to schedule a meeting to discuss these requirements and any other questions you have regarding the public water system at St. Hazards. You are encouraged to have the designated operator of record attend this meeting. You may wish this meeting to also include staff from our Division of Surface Water (DSW) who is responsible for the wastewater requirements for St. Hazards.

**The St. Hazards PWS must respond in writing within 15 days from the date of this letter with the required information. Failure to comply may result in escalated enforcement action.**

Mr. Edmund Gudenas  
May 2, 2012  
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If you have any questions, then please contact me at (419) 373-3088.

Sincerely,



John A. (Jack) Schwartz  
Environmental Specialist 2  
Division of Drinking and Ground Waters

JAS/cg

- Enclosures:
- 1) Ohio EPA correspondence dated September 26, 1997 (3 pp.)  
Plan Letter
  - 2) Report on Detail Plans (App. No. NW-3357-WS) dated  
September 17, 1997 (4 pp.)
  - 3) Ohio EPA correspondence dated February 17, 1998 (2 pp.) Plan Letter
  - 4) Report on Detail Plans (App. No. NW-3548-WS) dated  
January 27, 1998 (4 pp.)
  - 5) Ohio EPA correspondence dated August 4, 2011 (5 pp.) Survey Letter
  - 6) Ohio EPA correspondence dated August 4, 2011 (one page)  
Operator Letter
  - 7) Ohio EPA correspondence dated August 4, 2011 (4 pp.) Abood NOV

pc: Donald D. Daley, Operator of Record  
Shawn P. Daley, Operator of Record  
Christina Douglas-Faith, Operator of Record  
Dave Houghtlen, Maintenance Supervisor  
John Oleska, Association President  
Ottawa County Health Department  
Holly Kaloz, Manager, Compliance Assurance, DDAGW, CO  
DDAGW, NWDO Correspondence File  
Certified Mail Receipt Number 70091410000118342818

ec: Justin Bowerman, Compliance Coordinator, DDAGW, NWDO  
Ellen J. Gerber, Manager, DDAGW, NWDO  
Linda S. Benham, Environmental Supervisor, DDAGW, NWDO

