



**Environmental
Protection Agency**

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

Re: Allen County
Marathon Mini Mart
TNC Public Water System
PWS ID#OHOH0252912
STU ID#0252705

November 8, 2010

OH0252912

MARATHON MINI MART

11/8/2010

Mr. Javed Iqbal
6459 Bellefontaine Road
Lima, Ohio 45804



Dear Mr. Iqbal:

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

This letter is notification that the Marathon Mini Mart Public Water System has not complied with requirements issued during this Agency's last survey performed on July 18, 2009, in violation of Ohio Administrative Code (OAC) rule 3745-81-60. Correspondence dated September 17, 2009, required a written response within 45 days, with a time frame for resolving the following issues:

1. OAC Rule 3745-7-02(A) requires, "Each person owning or operating a public water system, except as provided for in paragraph (B) or (E) of this rule, 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". The system has failed to place the system under the supervision of an appropriately certified operator of record. Hire an appropriately certified operator and return the enclosed Operator of Record Notification Form. A list of contract water and wastewater operators is also enclosed for your use.
2. OAC Rule 3745-91-02(A) states in part: "No person shall make a substantial change in a public water system, until plans therefore have been approved by the director of environmental protection..." Substantial changes have been made to the components approved in Application No. NW-1208-WS (copy enclosed). Specifically, cartridge filtration and UV Disinfection, have been added as treatment components. Plans shall be prepared and submitted for review in accordance with OAC Rule 3745-91-03.
3. OAC Rule 3745-7-09 establishes recordkeeping requirements and responsibilities of a certified operator. Recordkeeping was not established as required by OAC Rule 3745-7-09. Establish recordkeeping in conformance with OAC Rule 3745-7-09.
4. OAC Rule 3745-81-21 states, "Public water systems shall collect total coliform routine samples at sites which are representative of water throughout the distribution system according to a written sample siting plan". A Siting Plan for Total Coliform monitoring was not on file. Prepare a Total Coliform Sample Siting Plan for Total Coliform as required by OAC Rule 3745-81-21.

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5. OAC Rule 3745-9-05 (P) states, "A well cap for a public water system well shall conform with "Water System Council Pitless Adapter Standard PAS-97, Performance Standards for Sanitary Water Well Pitless Adapters, Pitless Units, and Watertight Well Caps (1997). The well cap lacked an integrated screened vent. The well cap shall be replaced with one that conforms with "Water System Council Pitless Adapter Standard PAS-97, Performance Standards for Sanitary Water Well Pitless Adapters, Pitless Units, and Watertight Well Caps" (1997) (OAC rule 3745-9-05 (P)
6. OAC Rule 3745-83-01(D) states in part, "All chemicals and materials added to or brought in contact with water shall be shown to conform with ANSI/NSF standard 60 or standard 61.." Documentation was not available to demonstrate the salt, used in the production of brine, conforms to ANSI/NSF standard 60 nor the filters conform to ANSI/NSF standard 42 which by reference conforms with ANSI/NSF standard 61. Documentation shall be provided demonstrating conformance with OAC Rule 3745-83-01(D).

The water system must respond in writing within 15 days from the date of this letter with the required information. Failure to comply may result in further enforcement action.

If you have any questions regarding this letter, or any other matter involving your water system, please feel free to contact me at 419.373.3042 or Larry.Moritz@epa.state.oh.us.

Sincerely,



Larry W. Moritz
Division of Drinking and Ground Waters

//lr

pc: Allen County Health Department
C.O. - DDAGW / OFAS
DDAGW/NWDO

ec: Linda Benham, Environmental Supervisor, DDAGW/NWDO
Musa Khaleq, Engineer, DDAGW/NWDO
JoAnn Sabo, DOCC, DDAGW/NWDO