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State of Ohio Environmental Protection Agency

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Bowling Green, OH 43402-9398

TELE: (419) 352-8
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OH6201911

LAKE ERIE UTILITIES COMPANY

6/1/2010



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Re: Ottawa County
Lake Erie Utilities
TNC Water System
PWS ID# OH6201911

June 1, 2010

Mr. Jim Arvin, President
Lake Erie Utilities Company
P. O. Box 20
Middle Bass, Ohio 43446

Subject: Notice of Violation for Failure to Obtain Plan Approval

Dear Mr. Arvin:

Ohio Administrative Code (OAC) Rule 3745-91-02(A) states, "No person shall begin construction or installation of a public water system, or make a substantial change in a public water system, until plans therefore have been approved by the director of environmental protection..."

A sanitary survey was conducted at Lake Erie Utilities on Friday, May 21, 2010. During the survey, it was noted that a waterline had been extended from one of the high service pumps to the distribution system serving the ODNR Middle Bass Island State Park (State Park). Additionally, there was no backflow protection provided. At the time of the survey, I requested the operator discontinue the use of the waterline connecting Lake Erie Utilities and the State Park. The waterline was later physically disconnected.

The installation of the waterline constitutes a "substantial change" and therefore, plan approval is required. Failure to obtain plan approval constitutes a continuous violation of Section 6109.07 of the Ohio Revised Code and Chapter 3745-91 of the OAC. Violations of the State's drinking water laws may result in enforcement and civil penalties up to \$25,000 per day of violation.

If Lake Erie Utilities Company desires to reconnect the line to serve the State Park, detail plans for the waterline must be submitted immediately. The line is to remain disconnected until plan approval is obtained.

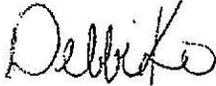
Mr. Jim Arvin, President

June 1, 2010

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If you have any questions, please feel free to contact me at (419) 373-3106 or via email at Debbie.Ko@epa.state.oh.us

Sincerely,



Debbie Ko
Division of Drinking and Ground Waters

/llr

pc: Ottawa County Health Department
Mike Baker
Kirk Leifheit
~~John Arduini~~
Beth Messer
Andy Barienbrock
Christopher Bowers, ODNR
DDAGW, NWDO File

ec: Shannon Nabors
Ellen Gerber
Larry Gamble