

REV_4

Phase 0 EdocMgt DAY FORWARD BARCODE

Created on: Jan 09, 2013

Department:

Subdepartment:

DDAGW

DRINKING_WATER

DDAGW

DDAGW-Drinking Water

Program:

DRINKING_WATER_PROGRAM

DDAGW-Drinking Water Program

Office Location:

Media:

CO

WATER

CO

WATER

Doc Type:

Doc Subtype:

DFFO

ENFORCEMENT

DFFO

ENFORCEMENT

Facility County:

Facility ID (e.g. PWSID)

79

OH7935612

79 USCARAWAS

OH7935612

Date:

20130109

1/9/2013

Facility Name:

THE_GINGER_ROOT

The Ginger Root

Your input is 15 characters long (Max 40).

Facility Address 1:

9788_STATE_ROUTE_250_NW

9788 State Route 250 NW

Your input is 23 characters long (Max 40).

Facility Address 2:

NULL

Your input is 0 characters long (Max 40).

Facility City:

STRASBURG

Strasburg

Facility State:

Facility ZIP: (00000 or 00000-0000)

OH

44680

OH

44680

Organization Name

THE_GINGER_ROOT_LLC

The Ginger Root LLC

Your input is 19 characters long (Max 40).

Mailing Address 1

9788_STATE_ROUTE_250_NW

9788 State Route 250 NW

Your input is 23 characters long (Max 40).

Mailing Address 2

NULL

Your input is 0 characters long (Max 40).

Mailing City

STRASBURG

Strasburg

Mailing

Mailing ZIP: (00000 or 00000-0000)

OH

44680

OH

44680

Project Name

Project Type

NULL

NULL

Latitude

Longitude

NULL

NULL



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

OHIO E.P.A.

JAN - 9 2013

ENTERED DIRECTOR'S JOURNAL

The Ginger Root, LLC
9788 State Route 250 NW
Strasburg, Ohio 44680
Attn: Jerry Meeder

Effective Date: **JAN - 9 2013**

Certified Mail

Re: 2013 Conditioned License to Operate a Public Water System

Dear Mr. Meeder:

Enclosed is the 2013 license to operate (LTO) a public water system (PWS) for The Ginger Root, LLC (PWS ID# OH7935612). In accordance with Ohio Revised Code (ORC) § 6109.21 and Ohio Administrative Code (OAC) Rule 3745-84-06, the LTO is hereby issued with conditions due to violations of drinking water regulations at the PWS. In accordance with OAC Rule 3745-84-04, PWSs are required to display the yellow, conditioned license where it is clearly visible to the general public and any person entering the facility.

The LTO is conditioned through January 30, 2014, with the following actions:

1. All terms of the Consent Order filed on or about May 21, 2012 in Tuscarawas County Common Pleas Court, Case No. 2012 CV 05 460, shall be complied with, including, but not limited to, submittal of the remaining penalty payments of one hundred seventy-five dollars (\$175.00) each, due January 31, 2013 and May 31, 2013.
2. All current and subsequent monitoring schedules issued by the Director shall be complied with, in accordance with OAC Chapter 3745-81.
3. Total coliform bacteria monitoring requirements shall be complied with, in accordance with OAC Rule 3745-81-21.
4. All LTO renewal requirements shall be complied with, in accordance with OAC Chapter 3745-84.

If the requirements of this conditioned LTO are fulfilled, the PWS may be eligible for a green, unconditioned license in the next renewal period. Should the PWS fail to comply with these conditions, the LTO may be suspended or revoked. A PWS with a suspended LTO may only operate as authorized by the Director, and a PWS with a revoked LTO is prohibited from

producing water for human consumption. Human consumption is defined in OAC Rule 3745-81-01 to include, but is not limited to, drinking, food preparation, dishwashing, and hand washing. Additionally, owners and/or operators who fail to comply with Ohio's safe drinking water laws are subject to civil penalties of up to \$25,000.00 per day per violation under ORC § 6109.33. Operating with a suspended or revoked LTO may jeopardize other licenses you may hold, such as those for food service or liquor.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC § 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215

If you have any questions regarding this action, please contact Julie Spangler at (614) 644-2752.

Sincerely,



Scott J. Nally, Director
Ohio Environmental Protection Agency

cc: Tuscarawas County Health Department

ec: Beth Messer, Assistant Chief, DDAGW
Holly Kaloz, Manager, DDAGW-CO
Michael Perriguet, Supervisor, DDAGW-CO
Janet Barth, Manager, DDAGW-SEDO
Russ Flagg, DOCC, DDAGW-SEDO
Michael Carper, Inspector, DDAGW-SEDO
Kimberly Rhoads, Ohio EPA-Legal
Janean R. Weber, Assistant Attorney General, Environmental Enforcement Section