

\*REV\_4\*

Department:

Subdepartment:

\*DDAGW\*

\*NULL\*

DDAGW

<NONE>

Program:

\*DRINKING\_WATER\*

DDAGW - Drinking Water

Office Location:

Medium:

\*CO\*

\*WATER\*

CO

WATER

Doc Type:

Doc Subtype:

\*DFFO\*

\*NULL\*

DFFO

<NONE>

Facility County:

Facility ID:

\*62\*

\*OH6201911\*

62 - OTTAWA

OH6201911

Date:

\*20130208\*

2/8/2013

Facility/Site/Location/Regulated Entity Name:

\*LAKE\_ERIE\_UTILITIES\_COMPANY\*

Lake Erie Utilities Company

Your input is 27 characters long (Max 40).

Facility Address 1:

\*PO\_BOX\_29\*

PO Box 29

Your input is 9 characters long (Max 40).

Facility Address 2:

\*NULL\*

Your input is 0 characters long (Max 40).

Facility City:

\*MIDDLE\_BASS\*

Middle Bass

Facility State:

Facility ZIP: (00000 or 00000-0000)

\*OH\*

\*43446\*

OH

43446

Mailing Name:

\*NULL\*

Your input is 0 characters long (Max 40).

Mailing Address 1:

\*NULL\*

Your input is 0 characters long (Max 40).

Mailing Address 2:

\*NULL\*

Your input is 0 characters long (Max 40).

Mailing City:

\*NULL\*

Mailing State/Province:

Mailing ZIP: (00000 or 00000-0000 or X0X0X0)

\*NULL\*

\*NULL\*

<NONE>

Project Name:

Project Type:

\*NULL\*

\*NULL\*

Latitude:

Longitude:

\*NULL\*

\*NULL\*



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

ENTERED DIRECTOR'S JOURNAL

FEB - 8 2013

Lake Erie Utilities Company  
P.O. Box 29  
Middle Bass, Ohio 43446  
Attn: Greg Myers, VP of Operations

Effective Date: FEB 08 2013

**Certified Mail**

Re: 2013 Conditioned License to Operate a Public Water System

Dear Mr. Myers:

Enclosed is the 2013 license to operate (LTO) a public water system (PWS) for Lake Erie Utilities Company (PWS ID# OH6201911). 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 residents and general public.

The LTO is conditioned through January 30, 2014, with the following actions necessary to return the PWS to compliance:

1. Comply with reporting requirements by submitting complete and correct monthly operating reports within ten days following the month for which the report was prepared, in accordance with OAC Rules 3745-81-75 and 3745-83-01.
2. Comply with certified operator minimum staffing requirements, by ensuring that the Class III operator of record is physically present at the PWS a minimum of five (5) days per week for a minimum of 40 hours per week, in accordance with OAC Rule 3745-7-03(C)(1).
3. Comply with ORC § 6109.07(B), OAC Rules 3745-91-02 and 3745-91-08, and the Approved Capacity Document by ensuring that daily production does not exceed the approved capacity of the water treatment plant of 0.115 MGD (80 gpm).
4. Comply with backflow prevention requirements, in accordance with OAC Rule 3745-95-09, specifically section (A)(2) regarding yard hydrants with weep holes.

5. Comply with backflow prevention program testing and record-keeping requirements, in accordance with OAC Rule 3745-95-06(C).
6. Comply with ORC § 6109.07 and OAC Chapter 3745-91 by obtaining Ohio EPA plan approval prior to any substantial change to the water system, including but not limited to installing a small pump in the clearwell to supply water to the plant tap, continuous chlorine analyzer and continuous turbidimeter.
7. Comply with OAC Rule 3745-81-74 by collecting grab samples for filtered water turbidity and the residual disinfectant concentration of the water entering the distribution system at least every 4 hours until the continuous monitoring equipment is placed back on line.
8. Comply with all current and subsequent monitoring schedules issued by the Director, in accordance with OAC Chapter 3745-81.
9. Comply with total coliform bacteria monitoring requirements, in accordance with OAC Rule 3745-81-21.
10. Comply with all LTO renewal requirements, in accordance with OAC Chapter 3745-84.

If the requirements of the 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.

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, 17<sup>th</sup> 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: Ottawa County Health Department
- ec: Beth Messer, Assistant Chief, DDAGW  
Holly Kaloz, Manager, DDAGW-CO  
Ellen Gerber, Manager, DDAGW-NWDO  
Justin Bowerman, DOCC, DDAGW-NWDO  
Kimberly Rhoads, Ohio EPA-Legal  
Rich O'Loughlin, President  
Eric Halterman, Vice President/Treasurer  
Bob Beach, Manager of Field Operations  
Krissy Hart, Secretary