



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

OHIO E.P.A.

MAR - 8 2013

ENTERED DIRECTOR'S JOURNAL

Lois Adkins
1600 Lenox New-Lyme Road
Jefferson, OH 44047

Effective Date: March 8, 2013

Certified Mail

Re: 2013 Conditioned License to Operate a Public Water System

Dear Ms. Adkins:

Enclosed is the 2013 license to operate (LTO) a public water system (PWS) for DFC Mobile Home Park (PWS ID# OH0400512). 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; and to notify the residents of the conditioned status of the license in the Consumer Confidence Report (CCR), pursuant to OAC Chapter 3745-96.

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

1. Immediately retain an operator of record with a Class A or greater certification to oversee the technical operation of the PWS, in accordance with OAC Rule 3745-7-02(A)(1).
2. Comply with all current and subsequent chemical monitoring schedules, in accordance with OAC Chapter 3745-81.
3. Comply with total coliform bacteria monitoring and maximum contaminant level (MCL) requirements, in accordance with OAC Rules 3745-81-21 and 3745-81-14, respectively.
4. By July first, provide to customers a CCR containing data collected during or prior to the previous calendar year, and provide a copy of the CCR distributed and a distribution certification to the Director, in accordance with OAC Chapter 3745-96.
5. Within sixty (60) days of the effective date of this letter, issue a public notification and submit copies of the required public notice and verification form to the Ohio EPA, DDAGW-CO, P.O. Box 1049, Columbus, Ohio 43216-1049, Attn: Katie Hernandez, in accordance with OAC Rule 3745-81-32, for:
 - a. failing to monitor for total coliform during the June 2007, January 2008, July 2008, March 2009, and June 2011 monitoring periods;
 - b. exceeding the MCL for total coliform during the February 2009 monitoring period;

- c. failing to monitor with a set of four repeat samples within twenty-four hours of being notified of the positive results for total coliform bacteria in June 2008;
 - d. failing to monitor for nitrate during the January 1 to March 31, 2009 monitoring period;
 - e. failing to conduct lead and copper triennial monitoring during the 2010 monitoring period;
 - f. failing to monitor for TTHM and HAA5 during the 2008 through 2010 monitoring period; and,
 - g. failing to monitor for VOCs during the 2008 through 2010 monitoring period.
6. Issue public notices for all violations in accordance with OAC Rule 3745-81-32.
 7. Maintain daily operation and maintenance records by the operator of record, in accordance with OAC Rule 3745-7-09
 8. Submit a Monthly Operating Report (MOR) for each month of operation within the first ten days of the month following the month for which the report was prepared, signed by the operator of record and in a format acceptable to the Director, in accordance with OAC Rule 3745-83-01(H).
 9. Maintain chlorine residual with a minimum of two-tenths mg/L free chlorine, or one mg/L combined chlorine, but not to exceed 4.0 mg/L (as Cl₂) measured at representative points throughout the distribution system, in accordance with OAC Rules 3745-83-01(C)(1) and 3745-81-10(C).
 10. Monitor for free or combined chlorine at least once every day that water is available to the public at each entry point and at a representative point in the distribution system, in accordance with OAC Rule 3745-83-01.
 11. Use a digital DPD chlorine test kit with a detection limit of 0.1 mg/L for the measurement of chlorine residuals, in accordance with OAC Rule 3745-81-27(C)(1)(a).
 12. Address the significant deficiency identified during the September 1, 2011 sanitary survey by having the underground raw water storage tank inspected by a qualified professional to assess its sanitary and structural integrity. A written inspection report by the qualified professional is to be submitted to Ohio EPA, Northeast District Office, Division of Drinking and Ground Waters, 2110 East Aurora Rd., Twinsburg, OH 44087, Attn: Dave Maschak within sixty (60) days from the effective date of this letter. Any deficiencies in the underground raw water storage tank must be corrected as directed by Ohio EPA. As an alternative to performing an inspection of the underground raw water storage tank, submit detail plans for a replacement tank within ninety (90) days of the effective date of this letter to the address listed above, in accordance with OAC Rule 3745-81-43.
 13. Within sixty (60) days of the effective date of this letter, submit a written contingency plan to the address listed in item #12, which documents how safe drinking water will be provided to the service area under emergency conditions, in accordance with OAC Chapter 3745-84.
 14. Within sixty (60) days of the effective date of this letter, submit a bacteria sample siting plan to the address in item #12, in accordance with OAC Rule 3745-81-21.

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. Operating with a suspended or revoked LTO may jeopardize other licenses, including the mobile home park license.

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 Katie Hernandez at (614) 644-2752.

Sincerely,



Scott J. Nally, Director
Ohio Environmental Protection Agency

cc: Ashtabula County Health Department
Ohio Manufactured Homes Commission

ec: Holly Kaloz, Manager, DDAGW-CO
Dave Maschak, DOCC, DDAGW-NEDO
Stivo DiFranco, Supervisor, DDAGW-NEDO
Kimberly Rhoads, Office of Legal Services