



State of Ohio Environmenta



Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

April 14, 2009

RE: WAYNE COUNTY
GREEN LEAF RESTAURANT
TRANSIENT WATER SYSTEM
PWS ID #OH8562312
STU ID #8561715

CERTIFIED MAIL

Mr. Ronald Stine
Green Leaf Restaurant
2905 Cleveland Road
Wooster, OH 44691

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

Dear Mr. Stine:

This letter is notification that the Green Leaf Restaurant public water system has not complied with requirements issued during this Agency's last survey performed on January 13, 2009, in violation of rule 3745-81-60 of the Ohio Administrative Code. Green Leaf Restaurant public water system was notified in correspondence dated January 20, 2009, to respond in writing within 45 days of receipt of your letter, with time frames for the following requirements:

REQUIREMENT(S)

- Sample Siting Plan – OAC Chapter 3745-81-21(A) requires public water systems to prepare a written coliform bacteria sample siting plan. We required that you create a sample siting plan for your PWS.

In violation of this requirement, we still do not yet have a sample siting plan on file for your PWS.

- Well Head – During the survey, we saw that your well cap is older and in order to keep contaminants from entering your well, you need to ensure your well is kept in good condition. Once your cap no longer is effective, please replace it with a new gasket and vented water tight cap that meets the specifications set forth in OAC 3745-9-05(P). This regulation states:

A well shall have a well cap or seal to prevent the entrance of water, dirt, animals, insects, or other foreign matter. The top of the casing at its finished height shall be cut so that the surface will fit flush with the well cap and provide a tight seal. The well cap or seal shall fit securely to the top of the well casing, be secured with screws or other appropriate connections, and vent to the atmosphere.

- Monitoring – You must be vigilant about conducting your total coliform monitoring in accordance with OAC 3745-81-21 and following your yearly monitoring schedules issued to you at the end of the previous year from our central office.

Since the previous survey, Green Leaf Restaurant has been issued two monitoring and reporting notices of violation. A summary of the violations is outlined in the following table:

Letter Date	Violation	Violation Period	Public Notification (PN)/Verification of PN Date
10/19/04	Total Coliform Monitoring	Jul – Sep 2004	No
7/18/06	Total Coliform Monitoring	Apr – Jun 2006	No

- Public Notification – Our records indicate that Green Leaf Restaurant failed to post a public notice for these aforementioned violations. Failing to post a notice is a violation of OAC 3745-81-32, which states “the owner or operator of a public water system which fails to perform the monitoring established by this chapter, or fails to comply with a testing procedure required by this chapter, or is granted a variance or exemption pursuant to this chapter, shall notify persons served by the public water.”

In order to correct the violations, you must post public notices for these violations. The notice must be posted for a minimum of ten days. Within 45 days, please send a copy of the notices that you posted, along with the completed verification forms (back side of or stapled to the public notice), to this office.

RECOMMENDATION(S)

- SWAP – The 1996 Amendments to the Safe Drinking Water Act require Ohio EPA to conduct source water assessments for all public water systems. The assessment of your water system will assist you in identifying the potential threats to your water supply, and help you develop protective strategies for your water supply. These reports contain checklists of protective strategies for contaminant sources identified within the report. The reports also identify the susceptibility of your sources to contamination. A SWAP report was issued to your PWS on February 27, 2007, and identified the susceptibility of your source to contamination as **Moderate**.

We now have a copy of your completed checklist.

- Raw Water Tap – We recommend that a sample tap be installed upstream of the pressure tank so that a raw water sample representative of the well can be obtained. If a routine sample result should be reported as total coliform positive, and some or all of the required repeat sample results are also positive, this raw water sample will assist in determining if the bacteria is coming from the well. In addition, the new Groundwater Rule, which will affect most PWSs and will become effective December 1, 2009, will require that when a total coliform positive result is received from the distribution system, a sample must be collected from the well. This sample tap should be located before the pressure tank, at a location that is easily accessible and where the sample bottle can easily be filled up. The tap should be smooth-nosed (not the type used for a hose) and produce a smooth, pencil-thin flow of reasonable velocity.

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, please contact me at (330) 963-1194.

Sincerely,



Beth Madis
Environmental Specialist
Division of Drinking and Ground Waters

BRM:dms

pc: C.O. - DDAGW/OFAS
Wayne County Health Dept.