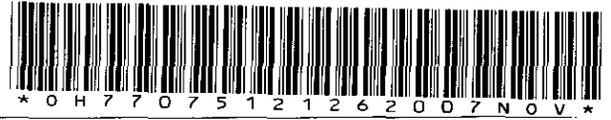




State of Ohio Environment:

Northeast Distr.



2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

December 6, 2007

RE: NOTICE OF VIOLATION
SUMMIT COUNTY
COUNTRY VIEW SOUTH APARTMENTS
COMMUNITY WATER SYSTEM
PWS ID # OH7707512
STU ID # 7758652

Mr. Joel Helms
Country View South Apartments
4977 Massillon Road
North Canton, OH 44720

CERTIFIED MAIL

Dear Mr. Helms:

This letter is notification that the Country View South Apartments public water system is in violation of Ohio Administrative Code (O.A.C.) Rule 3745-83-01 for failure to maintain a minimum of 0.2 mg/L free chlorine residual measured at representative points throughout the distribution system.

This violation of O.A.C. is based on my site visit conducted on November 29, 2007. A resident, in apartment #23B, allowed me to check the free chlorine residual from the kitchen tap. After letting the water run for approximately 5 minutes, the free chlorine residual was 0.03 mg/L. The minimum free chlorine residual in the distribution was less than 0.2 mg/L.

We discussed, by phone on November 29, 2007, that the chlorine feeder had recently been turned off so that total coliform bacteria samples could be collected from the distribution. You stated that these samples are to ensure that the internal plumbing in the apartments is bacteria free. Please be reminded that community public water systems must maintain a minimum of 0.2 mg/L free chlorine residual at all times.

You also stated that you are in the process of determining the capacities of several existing wells, which are located on adjoining properties and are owned by the Helm's family. You stated that you intend to physically separate the plumbing, which serves the Country View South Apartments, so that the apartment complex would consist of several smaller plumbed systems served by additional wells. You claimed that each system would then serve less than fifteen service connections used by year-round residents and serve less than twenty-five year-round residents.

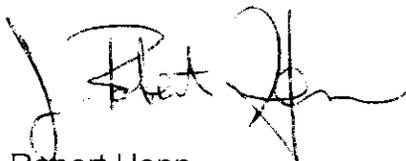
COUNTRY VIEW SOUTH APARTMENTS
DECEMBER 6, 2007
PAGE 2

In response to your proposal, please note that the drinking water rules cannot be circumvented by drilling or adding new sources of water. Regardless of the number of water sources, i.e., additional wells proposed by you for the Country View South Apartments, you would still be operating a public water system under the law and would still be subject to the Ohio EPA rules for drinking water. See R.C. 6109.01 and O.A.C. 3745-81-01 (FFF).

Further, you stated that you are in the process of completing detail plans to reflect the above discussed system modifications. Adding new water sources would constitute a substantial change to your public water system. Accordingly, plans for your proposed changes would have to be approved by the Director of Environmental Protection. See O.A.C. 3745-91-02. You would thus be in violation of O.A.C. 3745-91-02(A) were you to go ahead with your proposal without the appropriate approval. Any such proposed system modification, even if it were approved, would still leave the Country View South Apartments subject to Ohio drinking water statutes and rules.

If you have any questions, please contact me directly at (330) 963-1248.

Respectfully,



J. Robert Henn
Environmental Specialist
Division of Drinking and Ground Waters

JRH/ams

cc: Toni Buchanan, Ohio EPA, Central Office, DDAGW
Kenneth Baughman, Ohio EPA, Central Office, DDAGW
Kimberly Rhoads, Ohio EPA, Office of Legal Services
Nancy Rice, Ohio EPA, NEDO, DDAGW
Stivo Di Franco, Ohio EPA, NEDO, DDAGW
Gregg Bachmann, Attorney General's Office