



State of Ohio Environment



Northeast District Office *OH 772101210252007 NOV*

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

October 25, 2007

RE: SUMMIT COUNTY
BOSTON MILLS SKI RESORT
TRANSIENT WATER SYSTEM
PWS ID # 7721012

Mr. Bob Miller
Boston Mills Ski Resort
P.O. Box 175
Peninsula, OH 44264

CERTIFIED MAIL

SUBJECT: Notice of Violation of the Total Coliform Bacteria Monitoring Requirement when a water use advisory is still in effect

Dear Mr. Miller:

This letter is notification that the Boston Mills Ski Resort water system is in violation of the Ohio Administrative Code (O.A.C.) for failure to comply with the coliform monitoring requirements.

Rule 3745-81-21 of the O.A.C. requires that your water system monitor with a minimum of 4 coliform sample(s) Ohio EPA records indicate Boston Mills Ski Resort failed to monitor with the required number of coliform samples during the month of July - September 2007 quarterly reporting period. This failure to monitor with the required number of coliform samples is a violation of the aforementioned regulation.

Review of your sampling record indicates that you have been in violation of this monitoring requirement for 3 of the last 3 months. Continued non-compliance will result in referral of this matter to the Division of Drinking and Ground Water, Enforcement Section.

When a transient non-community water system fails to perform any required monitoring, the public water system must notify persons served by the water system of the failure in accordance with rule 3745-81-32 of the OAC. This public notice must be issued by mail or hand delivery or continuous posting in conspicuous places throughout the area served by the water system within 30 calendar days of the violation. Continuous posting is defined by the Ohio EPA as 10 consecutive days. . An example public notice is enclosed for your information. A copy of the public notification, along with the verification form which is enclosed, must be forwarded to this office within ten (10) days following issuance of the public notification.

Failure to public notify and submit a copy of the notice and verification form to this office may result in our enforcement section issuing a news release to the news media.

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A routine sample was /Routine samples were collected from your facility on June 25, 2007 and determined total coliform positive. O.A.C. Rule 3745-81-21 requires four repeat samples to be collected in a timely fashion upon notification of the positive routine sample result(s) Boston Mills Ski Resort did not collect the four required repeat samples, in violation of O.A.C. Rules 3745-81-21 and 3745-81-14 (D). A violation of Rule 3745-81-14 (D) is an acute MCL violation. A public notice water use advisory was required to be issued because of this violation.

The public notice must remain in effect until you obtain one complete set of four repeat samples that are determined total coliform negative. To date, our records indicate that you have not yet collected four repeat samples that were all determined total coliform negative. Therefore, the water use public notice must still be in effect in the manner previously explained to you in the notice of violation letter dated September 7, 2007 . All repeat samples must be collected on the same day. Indicate the exact sampling tap on each sample slip. Clearly mark "Repeat Sample" on each sample slip.

This office requested a copy of the actual public notice you issued and of the completed verification form. To date, we have not yet received these documents. Please submit these items to this office as soon as possible. Enclosed is an example public notice and a verification form for the acute M.C.L. violation for your reference.

If you have any questions, please contact me directly at (330) 963-1227.

Respectfully,



Ursula Musselman
Environmental Specialist
Division of Drinking and Ground Waters

UM/ams

enclosures

cc: Thomas R. Edwards, Summit County Health Department
Susie Noskowiak, Ohio EPA, Central Office, DDAGW
Kim Ethers, Ohio EPA, NEDO, DDAGW