



State of Ohio Environmental

Northeast District



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

September 17, 2008

RE: WAYNE COUNTY
DJ'S BAR AND RESTAURANT
TRANSIENT WATER SYSTEM
PWS ID # OH8540912
STU ID # 8559699

Ms. Dora Garcea
DJ's Bar and Restaurant
P.O. Box 63
Sterling, OH 44276

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

Dear Ms. Garcea:

This letter is notification that the DJ's Bar and Restaurant PWS has not complied with requirements issued during this Agency's last survey performed on April 23, 2008, in violation of rule 3745-81-60 of the Ohio Administrative Code. DJ's Bar and Restaurant was notified in correspondence dated May 27, 2008, to respond in writing within 45 days of receipt of your letter, with time frames for the following requirements:

REQUIREMENT(S)

- **Detail Plans** - OAC Chapter 3745-91 requires submission and approval of detail plans prior to the construction or installation of a PWS or for any substantial change to the PWS. Detail plans have never been approved for this PWS. During the previous survey, we noticed that new equipment was added to the system. Because DJ's is operating with a water treatment plant that has not been approved by this office, you are in violation of OAC Chapter 3745-91.

Detail plans have still not been submitted for approval, in violation of the aforementioned rule. Enclosed are instructions for detail plan submission. Please submit detail plans and water supply data sheet (on the reverse side of the detail plans instructions), along with the appropriate review fee, to this office within 45 days of receipt of this letter.

We also asked you to consider the following recommendations:

RECOMMENDATION(S)

- **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.

- 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 April 21, 2005, and identified the susceptibility of your source to contamination as **high**.

As requested, a copy of this report will be sent to you. Please review your report and complete the checklists of protective strategies. Return the checklist to this office within 45 days of this letter date. Specific questions that you may have about the SWAP report can be answered by contacting Kathy Metropulos at (330) 963-1149.

- Well Caps – During the survey, we observed your well. Your well has a well cap that is tightly secured to the well casing. However, this type of cap is considered to be a temporary well cap. The well cap should be replaced by a permanent well cap that meets the following requirements:
 - According to OAC 3745-9-05(P), 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.”
 - According to OAC 3745-9-05(T), “a vent shall be provided on all well caps and seals... A well vent shall be self-draining, screened with a non-corroding mesh screen of fifteen to thirty mesh, pointed downward at or above the top of the casing or pitless unit. A vent shall terminate not less than twelve inches above ground surface, and at least twelve inches above the well house floor or concrete apron surface.”

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/ams

cc: Ohio EPA, Central Office, DDAGW / OFAS
Wayne County Health Department