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TELE: (740) 385-8501 FAX: (740) 385-0430  
www.epa.state.oh.us

2195 Front Street  
Logan, Ohio 43138

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

January 14, 2009

**Re: JEFFERSON COUNTY  
CARDINAL OPERATING CO. 3  
NON-TRANSIENT PWS  
PWS ID #: OH4130812**

MR. CHARLES M. HEWETT  
CARDINAL OPERATING CO. UNIT NO.3  
306 CR 7 EAST  
BRILLIANT, OH 43913

**Subject: Notice of Violation of failure to monitor water quality parameters  
Notice of Violation of failure to post acceptable public education materials  
Notice of Violation of failure to submit corrosion control treatment plan**

Dear Mr. Hewett:

As of this date, the referenced public water system has incurred the following violations of the Ohio Administrative Code (OAC):

- 1) **Water Quality Parameter Monitoring:** a monitoring violation of OAC Rule 3745-81- 87 for failure to collect, analyze and report water quality parameters as required when the lead action level has been exceeded. This condition was referenced in my letter of October 27th, 2007, to you which specified the required actions. We received Cardinal's water quality parameter sampling results (taken in September and October, 2008) as part of the corrosion control plan submitted to this office on November 10, 2008, from Ms. Aimee Toole of American Electric Power. Cardinal is also required to issue a public notice of the violation as per OAC 3745-81-32. A sample public notice is attached.
- 2) **Public Education Material, Distribution and Verification:** a violation of OAC Rule 3745-81-85 for failure to post public education material containing mandatory language as specified by OAC 3745-81-85 (A)(2). The public education material submitted as an attachment to your April 4<sup>th</sup>, 2008, letter to Mike Moschell of this office failed to contain the specific language required by the rule. I referenced this problem in my letter to you of April 10<sup>th</sup>, 2008. The public education material attached to your letter of August 19<sup>th</sup>, 2008, is acceptable in required language content except that it specifies a date of June, 1994, for a corrosion control plan to address the current action level exceedance for lead. We received corrected public education material as an enclosure to the November 10<sup>th</sup>, 2008, letter from Ms. Aimee Toole of American Electric Power.

- 3) Flushed Entry Point Lead and Copper Monitoring: a monitoring violation of OAC Rule 3745-81- 88 (B) for failure to collect, analyze and report flushed entry point lead and copper samples as required when the lead action level has been exceeded. Please reference my letter of October 27th, 2007, which specifies the required actions. Your letter of October 23<sup>rd</sup>, 2008, stated that the flushed entry point samples were not adequately flushed prior to sample collection and that additional samples would be collected and results forwarded to us. To date, we have not received those analyses. Cardinal is also required to issue a public notice of the violation as per OAC 3745-81-32.
  
- 4) Corrosion Control Recommendation and Plans: a violation of OAC Rule 3745-81-82 for failure to submit a corrosion control treatment plan to prevent further exceedances of the lead action level. Please reference my letter of October 27<sup>th</sup>, 2007, which specifies the required actions. I also noted that this plan had not been received in my August 5<sup>th</sup>, 2008, e-mail to you. I received Cardinal's corrosion control plan as an enclosure in Ms. Aimee Toole's letter of November 10<sup>th</sup>, 2008. Cardinal is also required to issue a public notice of the violation as per OAC 3745-81-32.

<b>Public Notice Actions Required As A Result of the Above Violations</b>	
Step 1	<p><b>Within 30 days</b> issue the attached public notice of the violation in accordance with rule 3745-81-32 of the Ohio Administrative Code by the following methods</p> <ol style="list-style-type: none"><li>1. continuous posting, mail, or other direct delivery; and</li><li>2. if necessary, the system must also use any other method reasonably calculated to reach all persons served by the water system.</li></ol> <p><i>The language in italics on the attached public notice is mandatory and must be included as written.</i></p>
Step 2	<p><b>Within ten (10) days</b> of completing <b>Step 1</b> above, fill out the attached verification form and send along with a copy of the public notification issued to the Southeast District Office of the Ohio EPA.</p>

Cardinal Operating Co. 3  
January 14, 2009  
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If you have any questions, please contact me at (740) 380-5279.

Sincerely,



Steve Lind, P.E.  
Environmental Supervisor  
Division of Drinking and Ground Waters

SL/cb

Enclosures

cc: Aimee Toole, AEP, 1 Riverside Plaza, Columbus, Ohio 43215-2373  
cc: J. M. Milliken, Cardinal Operating Co., 306 C.R. #7 East, Brilliant, Ohio 43913  
cc: A. R. Wood, AEP, 1 Riverside Plaza, Columbus, Ohio 43215-2373  
cc: Ken Baughman, DDAGW, CO  
cc: Toni Buchanan, DDAGW, CO  
cc: Jefferson County Health Department

# DRINKING WATER NOTICE

## CARDINAL OPERATING CO. NO.3 Has High Levels of Lead

### FAILURE TO IMPLEMENT MONITORING AND DISTRIBUTING COMPLETE EDUCATION MATERIALS AS REQUIRED.

We routinely sample water at taps for lead and copper. During the 2007 monitoring period, tests show that lead levels in the water were above the limit, or "action level", so we were required, but failed to do the following:

- Collect, analyze and report water quality parameters by July 10, 2008.
- Post public education material containing mandatory language by March 1, 2008.
- Collect, analyze and report entry point lead and copper samples by July 10, 2008.
- Submit Corrosion Control Recommendation and plans by June 30, 2008.

#### What should I do?

**You do not need to use an alternative (e.g., bottled) water supply.** However, if you have specific health concerns, consult your doctor.

This notice is to inform you that we did not perform the above mentioned items as required by the Ohio Environmental Protection Agency.

#### What does this mean?

The levels detected do not pose an immediate risk to your health.

#### What is being done?

We are investigating and taking the necessary steps to correct the problem as soon as possible.

Additional information may be obtained by contacting:

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

PWSID: OH4130812 Facility ID: DS1 Date Distributed: \_\_\_\_\_

**PUBLIC NOTICE INSTRUCTIONS AND VERIFICATION FORM FOR  
PUBLIC WATER SYSTEMS WITH TIER 2 VIOLATIONS**

The owner or operator of a Public Community public water system with a Tier 2 violation or situation shall notify the persons served by the public water system as soon as practical but **no later than 30 days** after the system learns of the violation. Public notice shall be repeated every 3 months as long as the violation or situation persists.

I HEREBY CERTIFY THAT THE PUBLIC WAS NOTIFIED BY THE FOLLOWING METHOD(S) INDICATED BELOW, AS DESCRIBED IN THE OHIO ADMINISTRATIVE CODE RULE 3745-81-32:

Required Method of Public Notification	Actual Method of Public Notification
<p><b>COMMUNITY WATER SYSTEMS –</b></p> <p>1. Must issue public notice by mail or other direct delivery to each customer and service connection (where known).</p> <p>2. May also post in conspicuous locations throughout the distribution system (must remain posted for as long as the violation exists, but at least 7 days).</p>	<p>1. Date of mailing/delivery _____</p> <p>2.A. Dates of posting _____</p> <p>2.B. Locations of posting _____</p> <p>_____</p> <p>_____</p>
<p><b>NONCOMMUNITY WATER SYSTEMS –</b></p> <p><b>Use one or more of the following:</b></p> <p>1. Public notice issued by posting in conspicuous locations throughout the distribution system (required to remain posted for as long as the violation exists, but in no case less than 7 days).</p> <p>2. Public notice issued by mail or other direct delivery to each customer and service connection (where known).</p>	<p><b>Describe actual methods used:</b></p> <p>1.A. Dates of posting _____</p> <p>1.B. Locations of posting _____</p> <p>_____</p> <p>_____</p> <p>2. Date of mailing/delivery _____</p>
<p><b>Schools and Day-Care Facilities</b> must notify parents or guardians of children being served by methods <u>besides</u> posting, such as a newsletter, e-mail notice, or direct mailing</p>	<p>A. Method(s) _____</p> <p>_____</p> <p>B. Date(s) _____</p>
<p><b>ALL SYSTEMS –</b></p> <p><b>If the above methods do not reach all persons served</b>, also use any other method calculated to reach other persons served by the system (e.g. publication in a local newspaper or newsletter, use of e-mail to notify employees or students, or delivery of multiple copies to central locations).</p>	<p>A. Method(s) _____</p> <p>_____</p> <p>_____</p> <p>B. Date(s) _____</p>

**Please check which public notice was used:**

- A public notice as shown on the other side of this sheet was issued without changes.
- A different public notice was issued. **INCLUDE A COPY OF THE PUBLIC NOTICE.**

PWS NAME: Cardinal Operating Co. No.3

PWSID: OH4130812 Facility ID: DS1

COUNTY: Jefferson

\_\_\_\_\_  
Signature of Responsible Person                      Date

\_\_\_\_\_  
Printed Name and Title of Responsible Person

Viol Code	Violation
53	WQP Monitoring
57	OCCT/SOWT Recommendation – TT
65	Public Education – TT
56	Lead & Copper Source Water Monitoring

For Ohio EPA use only:	
Date PN received: _____	
PN acceptable: _____	PN not acceptable: _____