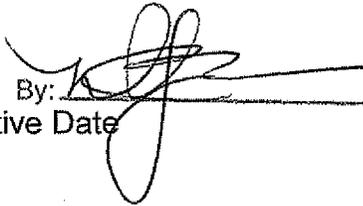


OHIO E.P.A.

JUN 28 2010

ENTERED DIRECTOR'S JOURNAL

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By:  Date: 6-28-10
Effective Date

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the Matter Of:

Ridge Mobile Home Park	:	Director's Final Findings
Attn: Richard Lawrence	:	and Orders
3708 Parkhill Circle NW	:	
Canton, Ohio 44718	:	

Respondent

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to Ridge Mobile Home Park (Respondent) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) Chapter 6109 and § 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of Respondent's public water system shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 6109 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA (Director) has determined the following findings:

1. Respondent owns and operates a "public water system" (PWS) as defined by ORC § 6109.01, which is also a "community water system" as defined by Ohio Administrative Code (OAC) Rule 3745-81-01.
2. Respondent's PWS (PWS ID# OH7604612) is located at 4721 Ridge Road SE, Canton, Ohio 44720.
3. Respondent's PWS obtains its drinking water from a "ground water" source as defined by OAC Rule 3745-81-01 and serves a population of 48 persons.
4. On April 20, 1995, the Director of Ohio EPA issued Director's Final Findings and Orders to Respondent for failure to monitor its drinking water for synthetic organic chemicals, volatile organic chemicals, nitrate, nitrite, lead and copper, and microbiological contaminants.
5. On December 13, 2002, Respondent's PWS designation by the Director as a Class A PWS, in accordance with OAC Rule 3745-7-03, became effective.
6. In accordance with OAC Rule 3745-07-02(A), each person owning or operating a PWS shall designate one or more operators of record to oversee the technical operation of the PWS. Each operator of record shall have a valid certification of a class equal to or greater than the classification of the PWS.
 - a) The owner of a PWS shall notify the Director of the identity of an operator of record in the event of a change in such position.
 - b) Notification shall be made on a form acceptable to the Director within three days of a change in operator of record.
7. In violation of OAC Rule 3745-07-02(A), Respondent's operator of record's limited Class A certification expired on December 31, 2006, and Respondent failed to designate an operator of record, with a valid certification of a class equal to or greater than the classification of the PWS, to oversee technical operation and maintenance of Respondent's PWS. Respondent returned to compliance by entering into a contract with an appropriately certified operator, and by notifying the Director of the identity of the operator of record, on March 9, 2010, by submitting an Operator of Record Notification Form.
8. In accordance with OAC Rule 3745-81-26, a community PWS shall monitor for radionuclide contaminants (or radiologicals), including gross alpha and Radium-228, according to the compliance schedule provided by the Director.

9. On or about January 1, 2004, the Director issued a chemical contaminant monitoring schedule to Respondent (2004 monitoring schedule) for the compliance period that began on January 1, 2004 and ended on December 31, 2004. Pursuant to the 2004 monitoring schedule, Respondent was required to monitor for radiologicals quarterly.
10. On December 10, 2004, the Director issued a chemical contaminant monitoring schedule to Respondent (2005 monitoring schedule) for the compliance period that began on January 1, 2005 and ended on December 31, 2005. Pursuant to the 2005 monitoring schedule, Respondent was required to monitor for radiologicals quarterly.
11. On December 16, 2005, the Director issued a chemical contaminant monitoring schedule to Respondent (2006 monitoring schedule) for the compliance period that began on January 1, 2006 and ended on December 31, 2006. Pursuant to the 2006 monitoring schedule, Respondent was required to monitor for radiologicals quarterly.
12. On or about January 1, 2007, the Director issued a chemical contaminant monitoring schedule to Respondent (2007 monitoring schedule) for the compliance period that began on January 1, 2007 and ended on December 31, 2007. Pursuant to the 2007 monitoring schedule, Respondent was required to monitor for radiologicals quarterly.
13. On or about January 1, 2008, the Director issued a chemical contaminant monitoring schedule to Respondent (2008 monitoring schedule) for the compliance period that began on January 1, 2008 and ended on December 31, 2008. Pursuant to the 2008 monitoring schedule, Respondent was required to monitor for radiologicals quarterly.
14. In violation of OAC Rule 3745-81-26, and Respondent's 2004 through 2008 compliance schedules, Respondent failed to monitor for gross alpha and Radium-228 during the January through March 2004, April through June 2004, October through December 2004, January through March 2005, July through September 2005, January through March 2006, April through June 2006, October through December 2006, January through March 2007, April through June 2007, July through September 2007, October through December 2007, January through March 2008, April through June 2008, July through September 2008, and April through June 2009 monitoring periods. Additionally, Respondent failed to monitor for Radium-228 during the October through December 2005 and the July through September 2006 monitoring periods.
15. In accordance with OAC Rule 3745-81-21(A)(1)(a), a community water system serving a population of fewer than one thousand (1,000) persons shall collect at least one total coliform sample per month.

16. In violation of OAC Rule 3745-81-21(A)(1)(a), Respondent failed to collect at least one total coliform sample for the months of February 2004, June 2005, August 2005, November 2005, December 2005, January 2007, June 2008, August 2008, March 2009, and August 2009.
17. In accordance with OAC Rule 3745-81-14(B), a public water system which monitors with fewer than forty (40) samples per month is in compliance with the maximum contaminant level (MCL) for total coliform when no more than one sample during a month is total coliform positive.
18. In violation of OAC Rule 3745-81-14(B), Respondent exceeded the total coliform MCL in June 2009 when more than one total coliform-positive sample was taken.
19. In accordance with OAC Rule 3745-81-21(B)(7), when a PWS monitoring with fewer than five (5) samples per month has one or more total coliform-positive samples, the PWS shall monitor with at least five (5) routine samples during the next month that the PWS provides water to the public.
20. In violation of OAC Rule 3745-81-21(B)(7), Respondent failed to collect at least five (5) routine samples in the month following a total coliform-positive result during the months of August 2006, October 2006, and July 2009 after being notified of a routine total coliform-positive sample result during the months of July 2006, September 2006, and June 2009, respectively.
21. In accordance with OAC Rule 3745-81-24(C), community PWSs that treat their water with any combination of chlorine, chloramines, chlorine dioxide, and/or ozone, shall monitor for Total Trihalomethanes (TTHM) and haloacetic acids five (HAA5).
22. In accordance with OAC Rule 3745-81-24(C)(4), ground water PWSs serving fewer than 10,000 persons shall monitor with the minimum monitoring frequency of one TTHM and one HAA5 water sample per quarter per treatment plant or bulk supplier, at location(s) representing maximum residence times.
23. On or about January 1, 2004, the Director issued a chemical contaminant monitoring schedule to Respondent (2004 monitoring schedule) for the compliance period that began on January 1, 2004 and ended on December 31, 2004. Pursuant to the 2004 monitoring schedule, Respondent was required to collect one sample each for TTHM and HAA5 within the July through September 2004 monitoring period.
24. On December 10, 2004, the Director issued a chemical contaminant monitoring schedule to Respondent (2005 monitoring schedule) for the compliance period that began on January 1, 2005 and ended on December 31, 2005. Pursuant to the 2005 monitoring schedule, Respondent was required to collect one sample

each for TTHM and HAA5 within the July through September 2005 monitoring period.

25. On December 16, 2005, the Director issued a chemical contaminant monitoring schedule to Respondent (2006 monitoring schedule) for the compliance period that began on January 1, 2006 and ended on December 31, 2006. Pursuant to the 2006 monitoring schedule, Respondent was required to collect one sample each for TTHM and HAA5 within the July through September 2006 monitoring period.
26. On or about January 1, 2007, the Director issued a chemical contaminant monitoring schedule to Respondent (2007 monitoring schedule) for the compliance period that began on January 1, 2007 and ended on December 31, 2007. Pursuant to the 2007 monitoring schedule, Respondent was required to collect one sample each for TTHM and HAA5 within the July through September 2007 monitoring period.
27. On or about January 1, 2008, the Director issued a chemical contaminant monitoring schedule to Respondent (2008 monitoring schedule) for the compliance period that began on January 1, 2008 and ended on December 31, 2008. Pursuant to the 2008 monitoring schedule, Respondent was required to collect one sample each for TTHM and HAA5 within the July through September 2008 monitoring period.
28. In violation of OAC Rule 3745-81-24(C) and Respondent's 2004 through 2008 monitoring schedules, Respondent failed to monitor for TTHM and HAA5 during the July through September 2004, July through September 2005, July through September 2006, July through September 2007, and July through September 2008 monitoring periods.
29. In accordance with OAC Rule 3745-81-86(D)(4)(c), a small or medium public water system that does not exceed either the lead or copper action level during three consecutive years of monitoring may reduce the frequency of monitoring for lead and copper from annually to once every three years. Samples collected once every three years shall be collected no later than every third calendar year.
30. In accordance with OAC Rule 3745-81-86(D)(4)(d), PWSs monitoring annually or less frequently shall conduct the lead and copper tap water monitoring during the months of June, July, August, or September unless the Director has approved a different sampling period in accordance with paragraph (D)(4)(d)(i) of OAC Rule 3745-81-86.
31. In accordance with OAC Rule 3745-81-86(C), PWSs that serve one hundred (100) or fewer persons shall collect at least one lead and copper sample from at least five (5) sites during each monitoring period.

32. On December 16, 2005, the Director issued a chemical contaminant monitoring schedule to Respondent (2006 monitoring schedule) for the compliance period that began on January 1, 2006 and ended on December 31, 2006. Pursuant to the 2006 monitoring schedule, Respondent was required to monitor for lead and copper during the June 2006 through September 2006 monitoring period and to submit at least one lead and copper sample to Ohio EPA by October 10, 2006.
33. In violation of OAC Rule 3745-81-86(C), and Respondent's 2006 compliance schedule, Respondent failed to collect and submit at least one lead and copper sample from at least five (5) sites during the June through September 2006 monitoring period.
34. In accordance with OAC Rule 3745-81-23(B), PWSs shall monitor to determine compliance with the MCL for nitrate according to a schedule provided by the Director.
35. On or about January 1, 2008, the Director issued a chemical contaminant monitoring schedule to Respondent (2008 monitoring schedule) for the compliance period that began on January 1, 2008 and ended on December 31, 2008. Pursuant to the 2008 monitoring schedule, Respondent was required to monitor with one nitrate sample during the June 1 through October 31, 2008 monitoring period.
36. In violation of OAC Rule 3745-81-23(B) and the 2008 monitoring schedule, Respondent failed to monitor for nitrate during the June through October 2008 monitoring period.
37. In accordance with OAC Rules 3745-96-01(E) and 3745-96-04(A), a community PWS shall mail or otherwise deliver a Consumer Confidence Report (CCR) to each customer by July 1 of each year. Each CCR shall contain data collected during, or prior to, the previous calendar year.
38. In accordance with OAC Rule 3745-96-04(C), by July first annually, each community water system shall provide to the Director the following information:
 - a) A copy of the report (CCR); and
 - b) A distribution certification, on a form acceptable to the Director, certifying that the CCR has been distributed to customers, a good faith effort to reach non-bill paying customers has been completed, and that the information is correct and consistent with the compliance monitoring data previously submitted to the Director.
39. In violation of OAC Rules 3745-96-01(E) and 3745-96-04(A), Respondent failed to mail or otherwise directly deliver a copy of the 2004 and 2007 CCRs to the

Ohio EPA and each customer by July 1, 2005 and by July 1, 2008, respectively.

40. In accordance with OAC Rule 3745-81-32(D)(2)(a), the owner or operator of a PWS having violations shall notify all persons served by the PWS of these violations, by mail or other direct delivery.
41. In accordance with OAC Rule 3745-81-32(A)(3), within ten days of completing the public notification requirements under OAC Rule 3745-81-32 for the initial public notice and any repeat notices, a PWS must submit to the Director a completed verification form indicating that it has fully complied with the public notification regulations. The PWS must include with this certification a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system and to the media.
42. In violation of OAC Rule 3745-81-32, Respondent failed to issue public notice for the following violations:
 - a) Failure to monitor for gross alpha and Radium-228 during the January through March 2004, April through June 2004, October through December 2004, January through March 2005, July through September 2005, January through March 2006, April through June 2006, and October through December 2006 monitoring periods; and failure to monitor for Radium-228 during the October through December 2005 and July through September 2006 monitoring periods.
 - b) Failure to collect at least one total coliform sample per month for the months of February 2004, June 2005, November 2005, and December 2005.
 - c) Failure to monitor for TTHM and HAA5 during the July through September 2004 and July through September 2005 monitoring periods.
43. Respondent returned to compliance for the violations listed in Finding # 42, by issuing public notification for the violations, and by submitting copies of the required public notice and verification form to the Director on March 9, 2010.
44. In accordance with OAC Rule 3745-83-01(G)(1) and (G)(2), PWSs that provide water treated with chlorine shall monitor for free and combined chlorine at least once every day that water is available to the public at each entry point to the distribution system and a representative point in the distribution system.
45. In accordance with OAC Rule 3745-83-01(I)(1), the owner or operator of a PWS required to monitor in accordance with OAC Rule 3745-83-01 paragraphs (G) and (H) shall prepare an operation report for each month of operation on forms acceptable to the Director.

46. In accordance with OAC Rule 3745-83-01(I)(2) the monthly operation report shall be submitted to the district office no later than the tenth of the month following the month for which the report was prepared.
47. In violation of OAC Rule 3745-83-01(I)(1) and (2), Respondent failed to submit monthly operating reports since at least December 2008 to confirm that free and combined chlorine is being monitored daily at the entry point and the distribution system.
48. In accordance with OAC Rule 3745-81-27(C)(1)(a), DPD colorimetric test kits used for the measurement of free chlorine and combined chlorine disinfectant concentrations shall use electronic measurement of the color development, shall have a digital display of the result, and shall have a method detection limit of 0.1 mg/L.
49. In violation of OAC Rule 3745-81-27(C)(1)(a), during the October 8, 2008 Ohio EPA sanitary survey of Respondent's PWS, it was determined that Respondent had been failing to use a digital DPD chlorine test kit for the measurement of chlorine residuals.
50. Each violation cited above represents a separate violation of ORC § 6109.31.

V. ORDERS

1. From the effective date of these Orders and as long as Respondent owns and operates a PWS, Respondent shall comply with all current and future monitoring schedules issued by the Director.
2. From the effective date of these Orders, Respondent shall retain an appropriately certified operator, and shall notify the Director in the event of a change of operator of record, in writing, by submitting an Operator of Record Notification Form to the address below, in accordance with OAC Rule 3745-7-02.

Ohio Environmental Protection Agency
Division of Drinking and Ground Waters
Operator Certification Unit
P.O. Box 1049
Columbus, OH 43213-1049

3. From the effective date of these Orders, Respondent shall monitor quarterly for radiologicals, including gross alpha and Radium 228, in accordance with OAC Rule 3745-81-26 and the annual monitoring schedule issued by the Director.
4. From the effective date of these Orders, Respondent shall monitor for lead and copper, in accordance with OAC Rule 3745-81-86(C) and the annual monitoring schedule issued by the Director.

5. From the effective date of these Orders, Respondent shall monitor for nitrate, in accordance with OAC Rule 3745-81-23(B) and the annual monitoring schedule issued by the Director.
6. From the effective date of these Orders, Respondent shall monitor for TTHM and HAA5, in accordance with OAC Rule 3745-81-24(C) and the annual monitoring schedule issued by the Director.
7. From the effective date of these Orders, Respondent shall comply with OAC Rule 3745-81-21(A)(1)(a), (B)(1) and (B)(7), meaning so long as Respondent serves a population of fewer than one thousand (1,000) persons, it shall collect at least one total coliform sample per month, shall monitor with a set of four (4) repeat samples within twenty-four hours of being notified of a total coliform-positive result, and when Respondent has one or more routine total coliform-positive samples, Respondent shall monitor with at least five (5) routine total coliform samples during the next month.
8. From the effective date of these Orders, Respondent shall, by July first annually, provide to customers a CCR containing data collected during or prior to the previous calendar year, and provide a copy of the CCR distributed and a distribution certification to the Director in accordance with OAC Rule 3745-96.
9. From the effective date of these Orders, Respondent shall use digital DPD chlorine test kit with a detection limit of 0.1 mg/L for the measurement of chlorine residuals in accordance with OAC Rule 3745-81-27(C)(1)(a), shall measure free and combined chlorine daily at each entry point and at a representative point in the distribution system in accordance with OAC Rule 3745-83-01(G)(1) and (G)(2), and shall submit monthly operating reports to the Northeast District Office by the tenth day of the following month in accordance with OAC Rule 3745-83-01(I)(2).
10. Respondent shall pay the amount of fifteen thousand two hundred dollars (\$15,200.00) in settlement of Ohio EPA's claim for civil penalties, which may be assessed pursuant to ORC Chapter 6109. Of this total amount, twelve thousand one hundred and sixty dollars (\$12,160.00) shall be paid to Ohio EPA in four (4) quarterly installments of three thousand forty dollars (\$3,040.00) by official check made payable to "Treasurer, State of Ohio". In accordance with the following schedule:
 - a. By no later than November 30, 2010, make payment to Ohio EPA for \$3,040.00;
 - b. By no later than February 28, 2011, make payment to Ohio EPA for \$3,040.00;

- c. By no later than May 30, 2011, make payment to Ohio EPA for \$3,040.00; and
- d. By no later than August 30, 2011, make payment to Ohio EPA for \$3,040.00.

Each official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

- 11. In lieu of paying the remaining three thousand and forty dollars (\$3,040.00) of the civil penalty, Respondent shall within thirty (30) days of the effective date of these Orders, fund a Supplemental Environmental Project (SEP) by making a contribution in the amount of \$3,040.00 to the Ohio EPA's Clean Diesel School Bus Fund (Fund 5CD). Respondent shall tender an official check made payable to "Treasurer, State of Ohio" for three thousand and forty dollars (\$3,040.00). The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent, to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

- 12. Should Respondent fail to fund the SEP within the required timeframe set forth in Order # 11, Respondent shall pay to Ohio EPA \$3,040.00 of the civil penalty in accordance with the procedures in Order # 10.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's DDAGW acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete." This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a

responsible official of Respondent. For purposes of these Orders, a responsible official is as defined in OAC Rule 3745-33-03(D).

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to the operation of Respondent's PWS.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Northeast District Office
Division of Drinking and Ground Waters
2110 East Aurora Road
Twinsburg, Ohio 44087
Attn: Dave Maschak, DOCC

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to

comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity. Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency



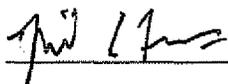
Chris Korleski, Director

JUN 28 2010

Date

IT IS SO AGREED:

Mr. Richard Lawrence
Ridge Mobile Home Park



Signature

Richard Lawrence

Printed or Typed Name and Title

6/14/10

Date