



STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

May 24, 2004

Re: Trumbull County
Dairy Mart #5426
Transient, Non-Community
PWSID: 7853112

Mr. Kevin Merritt, Director of Facilities
Mac's Convenience Stores, LLC
PO Box 347
Columbus, Indiana 47202

Dear Mr. Merritt:

Dairy Mart #5426 (Warren, Ohio) public water system has violated Ohio's safe drinking water laws. Specifically, Dairy Mart #5426 failed to conduct routine total coliform bacteria monitoring, failed to conduct repeat total coliform bacteria monitoring, and failed to issue public notices for these violations.

Owners or operators of public water systems that fail to comply with Ohio's safe drinking water laws and regulations are subject to civil penalties of up to \$25,000 per day per violation under Ohio Revised Code (ORC) Section 6109.33.

To resolve your drinking water violations and avoid possible legal action and civil penalties:

- 1) Monitor for total coliform bacteria with a minimum of one routine sample per calendar quarter from the distribution system and perform any required repeat monitoring, in accordance with Ohio Administrative Code (OAC) Rule 3745-81-21.
- 2) Immediately comply with the maximum contaminant level requirements for total coliform bacteria, in accordance with OAC Rule 3745-81-14.
- 3) By May 31, 2004, post public notices for past total coliform monitoring violations for at least fourteen (14) days and submit copies of the public notices and verification forms to Ohio EPA, Northeast District Office (NEDO), Division of Drinking and Ground Waters (DDAGW), in accordance with OAC Rule 3745-81-32.
- 4) By June 25, 2004, initiate an investigation, by hiring a **registered** well driller, of the well components and casing to determine possible causes of the bacteriological contamination. Within thirty days of initiating the investigation, submit a written report of the findings and recommendations on the well components and casing to Ohio EPA, NEDO, DDAGW.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

Mr. Kevin Merritt
Mac's Convenience Stores, LLC
Dairy Mart #5426
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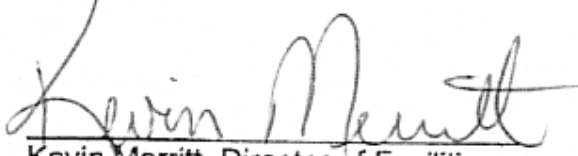
- 5) By June 25, 2004, initiate an investigation, by hiring a **licensed** plumber, on the interior plumbing to determine possible causes of the bacteriological contamination. Within thirty days of initiating the investigation, submit a written report of the findings and recommendations on the distribution system to Ohio EPA, NEDO, DDAGW.

Sincerely,



Michael G. Baker, Chief
Division of Drinking and Ground Waters

If it is your intent to comply with the safe drinking water laws and regulations in the manner specified, please sign this document and return it to the attention of Larry Reeder at Ohio EPA, DDAGW, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049, within fourteen (14) days. Your signature is not considered an admission of guilt, only an indication of your intention to address the violations noted. Ohio EPA reserves its right to seek civil penalties pursuant to Revised Code 6109.33 for the violations described in this letter. If you have any questions concerning this letter, please call Larry Reeder at (614) 644-2752.



Kevin Merritt, Director of Facilities
Mac's Convenience Stores, LLC

Date

5/26/04