



State of Ohio Environmental Protection Agency*

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

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

December 9, 2008

RE: Pickaway County
Wagon Wheel MHP
Community Water System
PWSID#: OH6502812

Mr. Jerry Timmons
7108 Scioto Darby Road
Ashville, Ohio 43103

Hand Delivery

Dear Mr. Timmons:

Wagon Wheel MHP public water system (PWS) has violated Ohio's safe drinking water law. Specifically, Wagon Wheel MHP has incurred arsenic maximum contaminant level (MCL) violations during the monitoring periods of October 1 through December 31, 2006 and July 1 through September 30, 2007. Arsenic levels have fluctuated between non-detect and 19 micrograms per liter. This fluctuation needs investigation into the cause, determining if it is related to raw water levels and/or sampling technique.

In addition, a monthly total coliform bacteria monitoring violation was incurred during the month of February 2008 and the PWS has failed to maintain adequate chlorine residuals.

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 Section 6109.33.

To resolve these past drinking water violations and bring the public water system back into compliance, it is agreed that Wagon Wheel MHP will:

1. Monitor for total coliform bacteria with a minimum of one routine sample per month from the distribution system and promptly perform any required repeat monitoring, in accordance with Ohio Administrative Code (OAC) Rule 3745-81-21.
2. Within 30 days of the signed date of this agreement, post public notice, in accordance with OAC Rule 3745-81-32, for the February 2008 total coliform bacteria monitoring violation. Provide a copy of the public notice and verification form to Ohio EPA within 10 days of posting.
3. Within 45 days of the signed date of this agreement, contract the services of a Class A or higher certified operator, in accordance with OAC Rule 3745-7-02.

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

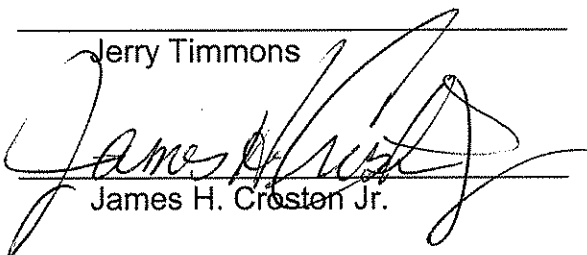
4. Maintain a minimum of at least two-tenths milligram per liter free chlorine or one milligram per liter combined chlorine measured at representative points in the distribution system, in accordance with OAC Rule 3745-83-01(C)(1).
5. Investigate fluctuations in arsenic levels and prepare a strategy to comply with the arsenic maximum contaminant level consistently and reliably. This investigation should include collecting monthly samples for a period of 12 months at all raw water sources and the entry point. Within 45 days of completion of sampling, provide Ohio EPA with a report summarizing results and a preferred strategy to maintain arsenic level at the entry point to below the maximum contaminant level.

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 Ken Baughman 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 Ken Baughman at (614) 644-2752.

Jerry Timmons


James H. Croston Jr.

Date
12/9/08

Date

cc: James H. Croston, Jr.