



State of Ohio Environmental Protection Agency

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CERTIFIED MAIL #91 7108 2133 3932 4450 2120 - Morrow
#91 7108 2133 3932 4450 2137 - Kasper

December 11, 2008

Mr. Tim I. Morrow
City of Lancaster
Department of Engineering
Environmental Division
104 East Main Street
Lancaster, OH 43130-3726

Mr. Craig Kasper, CP #103
Hull & Associates, Inc.
6397 Emerald Pkwy, Suite 200
Dublin, OH 43016

**Re: Verification of Protectiveness of the City of Lancaster Urban Setting
Designation
Fairfield County
Project ID #123-002202-002**

Dear Messer's Morrow and Kasper:

The purpose of this letter is to inform you that the Ohio Environmental Protection Agency (Ohio EPA) has conducted a verification review regarding the protectiveness of the East Lancaster Development Corridor (03GR007) Urban Setting Designation (USD) (Lancaster USD). In accordance with Ohio Administrative Code (OAC) Rule 3745-300-10(D)(4), effective October 21, 2003, the Director of the Ohio EPA is authorized to periodically review the protectiveness of USDs. The purpose of the Ohio EPA periodic review is to verify the continuing validity of key assumptions relied upon as part of the USD application. An example of one such assumption is the determination that no potable use wells exist within a one-half (1/2) mile boundary of the USD.

The city of Lancaster requested a USD for approximately 33 acres located within the City on May 16, 2003. The city of Lancaster contracted with VAP Certified Professional (CP) Craig Kasper (CP # 103) to submit the request for the Lancaster USD. The CP submitted the USD request in accordance with the VAP rules pursuant to OAC Rule 3745-300-10.

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

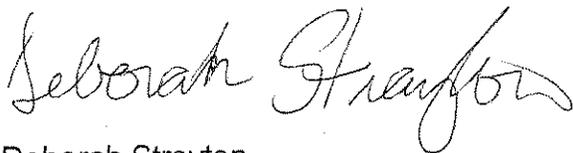
Ohio EPA evaluated the USD application to determine the extent to which the application satisfied the applicable criteria set forth in OAC Rule 3745-300-10(D)(1)(a) through (e) as well as OAC Rule 3745-300-10(D)(2)(e). Ohio EPA formally approved the Lancaster USD request on June 5, 2003.

During this USD verification review, Ohio EPA identified that City Ordinance 11-03 and its supporting code restricting the installation of potable water supply wells was repealed on October 17, 2005. Therefore, the enforceable restrictions were no longer valid (OAC 3745-300-10(D)(3)(b)(iii)). Ohio EPA worked with the city of Lancaster to resolve the protectiveness issues with the USD. On November 10, 2008, Permanent Ordinance 47-08, Chapter 910 Lancaster Potable Water Well Code was enacted.

The information presented in the enclosed copy of the *Protectiveness Verification of the Urban Setting Designation for the East Lancaster Development Corridor* report constitutes Ohio EPA's verification of protectiveness for the Lancaster USD.

In summary, Ohio EPA concludes that the key assumptions supporting the Lancaster USD are valid and, therefore, protective. In the event questions arise with respect to the information provided, please feel free to call Robin Roth or me at (614) 728-3778.

Sincerely,



Deborah Strayton
Manager
Division of Emergency and Remedial Response
Central District Office

Enclosure: Protectiveness Verification of the Urban Setting Designation for the East Lancaster Development Corridor report

c: Terre L. Vandervoot, Law Director & City Prosecutor,
Steven M. Gross, Hull & Associates, Inc.
Ken Schultz, Supervisor DERR/CDO
Robin Roth, DERR/CDO
Amy Yersavich, Manager DERR/VAP
Frank Robertson, DERR/CO/VAP
Sue Kroeger, Legal Services
Files, DERR/CO and DERR/CDO 03GR007



State of Ohio
Environmental Protection Agency

Division of Emergency and Remedial Response

Protectiveness Verification of the Urban Setting Designation for the East Lancaster Development Corridor



December 2008

Ted Strickland, Governor
Chris Korleski, Director

**PROTECTIVENESS VERIFICATION of the URBAN SETTING DESIGNATION for the
EAST LANCASTER DEVELOPMENT CORRIDOR
FAIRFIELD COUNTY, OHIO
USD #03GR007/Project ID #123-002202-002
December 2008**

Name and Address of USD Property: East Lancaster Development Corridor
(Approximately 33 acres)
Urban Setting Designation (USD)
Lancaster, Ohio

Certified Professional: Craig Kasper, CP #103

Request made on behalf of: City of Lancaster

Date of USD request (USD number): May 16, 2003 (03GR007)

Date of USD approval: June 5, 2003

County and Ohio EPA District: Fairfield County, Central District Office

1. PURPOSE

The purpose of this report is to provide the findings of Ohio EPA's initial five-year review of the East Lancaster Development Corridor Urban Setting Designation, which the Director of Ohio EPA approved on June 5, 2003. This review was performed consistent with Ohio Administrative Code (OAC) 3745-300-10(D)(4) and Ohio EPA's guidance titled "Urban Setting Designation Procedures for the Director's Periodic Verification of the Protectiveness of Area-Wide USDs" revised April 18, 2005.

2. BACKGROUND

A. Subject Area

This review addresses an urban setting designation (USD) established for property in the city of Lancaster, referred to as the East Lancaster Development Corridor USD (USD #03GR007) (Lancaster USD). The Lancaster USD includes approximately 33 acres consisting of property formerly occupied by Anchor Hocking Plant #2, Frick Gallagher Manufacturing Company and former Hexcel Corporation. Figure 1, Urban Setting Designation Area, prepared by the certified professional for the original USD request, shows the general area of the Lancaster USD.

The specific properties included in the Lancaster USD are illustrated on Figure 2. Note that USD Properties #1 through #3 are generally defined as being south of the Penn Central Railroad, north of Lawrence Street and west of Ewing Street, and USD Property #4 is north of the Penn Central Railroad, east of Ewing Street and west of Fulkerson Avenue.

B. Original Approval Criteria

The original approval criteria are summarized in Ohio EPA's approval letter dated June 5, 2003 (Attachment A).

3. SUMMARY OF PAST FIVE-YEAR VERIFICATIONS

This report is the first five-year verification review. Therefore, there are no past issues to discuss.

4. VERIFICATION ACTIVITIES

Ohio EPA's Division of Emergency and Remedial Response (DERR), Central District Office (CDO) project coordinator, with support from the Division of Drinking and Ground Water (DDAGW), reviewed the Lancaster USD.

A. OAC 3745-300-10(D)(3)(b)(i) (a) and (b) – Determining whether any additional well(s) have been installed within one-half mile of the urban setting designation boundary or the geographic area that are or will be impacted by chemicals of concern emanating from the property.

1. Ohio Department of Natural Resources (ODNR) Well Logs

On May 30, 2008, ODNR water well logs within a one-half mile radius of the USD boundary were reviewed by DDAGW/CDO staff. Since May 2003, one new water well log was identified (Attachment B). This well was completed in bedrock and is presumed to be for domestic supply. The capture zone of this well does not extend beneath the USD boundary based on the results of original modeling, and there is no direct hydraulic connection to the USD area.

2. Public water systems on file at Ohio EPA

On May 20, 2008, DDAGW, Central Office staff reported that there was a small transient non-community public water system for the Bible Baptist Church located at 1395 Duffy Road Southeast, within one-half mile of the Lancaster USD boundary. Upon further review, this small transient public water supply system was evaluated in the original USD request and was found to have a capture zone that does not extend beneath the USD boundary. No new public water systems were identified within the one-half mile radius of the USD boundary.

3. Private Water Supplies of record at Department of Health.

On May 21, 2008, David Plummer with the Fairfield County Combined Department of Health was contacted and he referred us to Andy Gundelfinger with the Lancaster Municipal Water Department. Mr. Plummer also noted that the four wells identified in the approval letter are located within the city limits. Also see the findings under Section 4. A. a. of this report.

The approval of the Lancaster USD was made conditional on the closure of four private water wells (e.g., residential well numbers 394608 [sic], 256966, 256977, and the “domestic well” being *abandoned or disconnected from the residence or structure* [sic]) and the connection of the affected premises to the municipal water supply by August 22, 2003 in accordance with City Ordinance 11-03. See Ohio EPA’s approval letter, page 9 of Attachment A. The approximate locations of these residential wells - three on Ewing Street and one on Lawrence Street- are shown on Figure 3, Well Record Locations within the Half-Mile Buffer of the USD Request. See Section C. of this report for more information on the status of the city ordinance.

The USD request included the affidavit of Tim Morrow with the City of Lancaster Department of Engineering Environmental Division dated May 16, 2003. The affidavit summarizes the city’s contact with the four residential well owners concerning connection of their properties at 523, 531 and 537 Ewing Street and 1011 Lawrence Street to the municipal water system (Attachment C contains a copy of the City’s affidavit).

On May 30, 2008, Mr. Morrow provided documentation of connections to the municipal water system for residences within the USD area based on utilities maintenance reports dated March 5, 2008 or May 28, 2008 (Attachment D). The following residences, including three of the four private water wells at issue, have been connected to the municipal water system:

- 1011 Lawrence Street
- 421 S. Ewing Street
- 425 S. Ewing Street
- 439 S. Ewing Street
- 449 S. Ewing Street
- 515 S. Ewing Street
- 523 S. Ewing Street
- 537 S. Ewing Street
- 545 S. Ewing Street
- 555 S. Ewing Street

It is noted that the dwelling at 531 S. Ewing Street is unoccupied and does not have a water meter at this time. The City maintains utility records for all four of the properties with the private wells. It is believed that the property at 531 S. Ewing Street is owned by an absentee landlord.

To demonstrate that the remaining three properties with private potable wells have been connected to the municipal water system and the private wells have been closed (*i.e.*, properly abandoned or disconnected from the residence or structure), a city of Lancaster questionnaire was sent to the property owners providing notice and requesting documentation of the closure of the private water wells. To date the City has received one response from the owner of the property located at 537 S. Ewing Street indicating that the residential well is no longer being used for potable or non-potable purposes (Attachment E).

4. Bottled Water Supply Wells

The Ohio Department of Agriculture was contacted on May 27, 2008, and it was verified that there are no commercial water supply wells within the USD area or within one-half mile of the USD boundary. There is one bottled water operation in Lancaster, Pine Grove Springs, which is located at 3015 Pine Grove Road beyond the one-half mile radius from the USD boundary.

B. OAC 3745-300-10(D)(3)(b)(ii) – Determining if USD is still protective if it is determined that a new potable well has been installed.

1. OAC 3745-300-10(D)(3)(b)(ii)(a) – Determine whether the wells are part of a community water system with a drinking water source protection plan and whether the owner of the community water system consents or will consent in writing to the USD.

No new community water systems with a drinking water source protection plan were identified within the one-half mile radius of the USD boundary.

2. OAC 3745-300-10(D)(3)(b)(ii)(b) – Determine whether the capture zones of any wells installed for potable water supply purposes within one-half mile of the property (USD boundary) do not extend under the property for which the urban setting designation applies.

DDAGW/CDO staff determined that the capture zone of a newly installed potable water supply well located within one-half mile of the USD boundary did not extend under the USD boundary (Figure 4).

C. OAC 3745-300-10(D)(3)(b)(iii) – Are enforceable restrictions still valid.

City Ordinance 11-03 passed on April 28, 2003 and was approved on April 30, 2003 to enhance the development of the proposed Lancaster East Side Development Area (Attachment F). Chapter 910 known as the Lancaster Potable Water Supply Well Code restricted the installation of potable water supply wells (Attachment F), until October 17, 2005, when the city of Lancaster repealed Chapter 910 of the Codified Ordinances of the City of Lancaster entitled "Potable Water Supply Code," through Ordinance 66-05 (Attachment G).

As a result, areas within the "Urban Setting Designation" no longer required mandatory connection to the city water supply nor the abandonment or disconnection of the private water supply well from the residence or structure.

In mid-July 2008, Ohio EPA staff informed city of Lancaster staff and their consultant of the need to resolve the identified protectiveness issues with the East Lancaster Development Corridor USD prior to relying upon it to meet applicable standards in issuing an NFA letter. The City's law director worked with Ohio EPA's staff attorney and USD verification review team to draft proposed legislative language involving repealing an existing ordinance and adopting a revised version of the potable well ordinance. These were first proposed in mid-October 2008, to City Council.

The city of Lancaster restored the enforceable restrictions through the November 10, 2008 Permanent Ordinance 47-08 to adopt Chapter 910, Lancaster Potable Water Supply Well Code, and Permanent Ordinance 48-08 to repeal existing Permanent Ordinance 66-05 in its entirety since Chapter 910 Potable Water was enacted requiring the following:

1. Connection to the municipal water system within the incorporated limits of the City and in the USD area.
2. Restricting the installation of new potable water supply wells within the USD area.
3. Prohibiting the use of preexisting wells within the USD area for potable purposes (Attachment H).

D. OAC 3745-300-10(D)(3)(b)(iv) – Determine whether any new drinking water source protection area(s) for a public water system using ground water has been delineated that incorporate areas within the urban setting designation.

No new drinking water source protection area(s) for a public water system using ground water were identified within the Lancaster USD.

E. OAC 3745-300-10(D)(3)(v) (a) and (b) – Contacting owner/operators and surrounding communities in the region of the USD to verify future use.

During the original USD request, six public water systems or villages were surveyed regarding water use needs and the potential for water development that might impact the Lancaster USD. These same contacts were called to update this information as shown in the table below.

Village	Contact	Phone Number	Current Use Demands	Future Development Plans
Baltimore	Steve Chaffin	(740) 862-4043 or (740) 862-4491	Yes, Approx. 200,000 to 400,000 gpd	No, Upgrading water softener system, second water tower
Bremen	Byron Bowersox*	(740) 569-4100	Yes, Approx. 432,000 gpd	Not at this time
Pleasantville	Bob Pangborn	(740) 468-9222	Yes, Approx. 65,000 gpd	No
Sugar Grove	Cathy Thimmes	(740) 746-8406	Yes; Approx. 39,580 gpd	Not at this time; May tie into Lancaster PWS – new plant 2 miles away
Carroll** (Farfield County Utilities)	Don Sherman	(740) 687-7154	Yes; Approx. 0.13 to 0.14 mgd	If needed, plant built to expand (from 0.5 to 1.5 mgd)
Amanda	Ralph Martin, Village Administrator	(740) 969-4771	Yes; Approx. 50,400 gpd	Not at this time

*Based on conversation with Jason Reed, DDAGW/CDO.

**The Village of Carroll is a part of Regional Drinking Water Protection Team for Fairfield County, which also includes the following entities: Greenfield Township (0.15-0.8 mgd), Violet Township (Tussing Road), Millersport, Pleasantville, Amanda, Bremen, Lithopolis, Sugar Grove, Pickerington and Baltimore Villages with Fairfield County Soil and Water District, Fairfield County Regional Planning Commission and the Fairfield Combined Health Department.

The city of Lancaster has two wellfields including the Miller Park Wellfield with a Wellhead Protection Plan developed in 1994, which received Ohio EPA's endorsement on April 18, 1997, and the South Wellfield with a

Wellhead Protection Program, which was approved by Ohio EPA on June 24, 2002 (Figure 5). The South Wellfield is located south of Ewing–Sugar Grove Road near Harbor Mill.

5. CONCLUSIONS AND RECOMMENDATIONS

During this review, it was identified that City Ordinance 11-03 and its supporting code restricting the installation of potable water supply wells was repealed on October 17, 2005. Therefore, the enforceable restrictions were no longer valid (OAC 3745-300-10(D)(3)(b)(iii)). Ohio EPA staff worked with the city of Lancaster to resolve the protectiveness issues with the USD. On November 10, 2008, Permanent Ordinance 47-08, Chapter 910 Lancaster Potable Water Well Code was enacted.

Based upon the scope of this review and with the enactment of Permanent Ordinance 47-08 Chapter 910, Lancaster Potable Water Supply Well Code, no changes in the potable use of ground water were identified within the prescribed areas that would adversely impact the Lancaster USD¹. It is noted that with the adoption of Permanent Ordinance 47-08 Chapter 910, Lancaster Potable Water Supply Well Code, there are valid enforceable restrictions in place regarding the use of preexisting private water wells within the USD area, requiring connection to the municipal water system within the USD area and prohibiting the installation of new potable water supply wells within the USD area.

This protectiveness verification of the Lancaster USD was performed in accordance with the “Urban Setting Designation Procedures for the Director’s Periodic Verification of the Protectiveness of Area-Wide USDs” and serves as its five-year review. Completion of this work addresses the periodic USD review in accordance with OAC 3745-300-10(D)(4). The next five-year area-wide USD verification review for the Lancaster USD is due June 5, 2012.

¹ The use of the Lancaster USD as an applicable ground water standard is contingent upon demonstrating in a No Further Action (NFA) letter that the property, the subject of the NFA letter, is eligible for participation in the VAP, pursuant to Ohio Revised Code § 3746.02 and OAC 3745-300-02. However, a Certified Profession has not issued an NFA letter for a property located within the Lancaster USD area, at this time. Certified Professionals are required under OAC 3745-300-10(D)(3) to verify any USD they rely upon for issuance of a NFA letter. If such a review determines that a USD is no longer valid, a recommendation that the director reduce or eliminate the USD may need to be initiated.

FIGURES

Figure 1
Urban Setting Designation Area

Figure 2
Map of Lancaster USD Properties

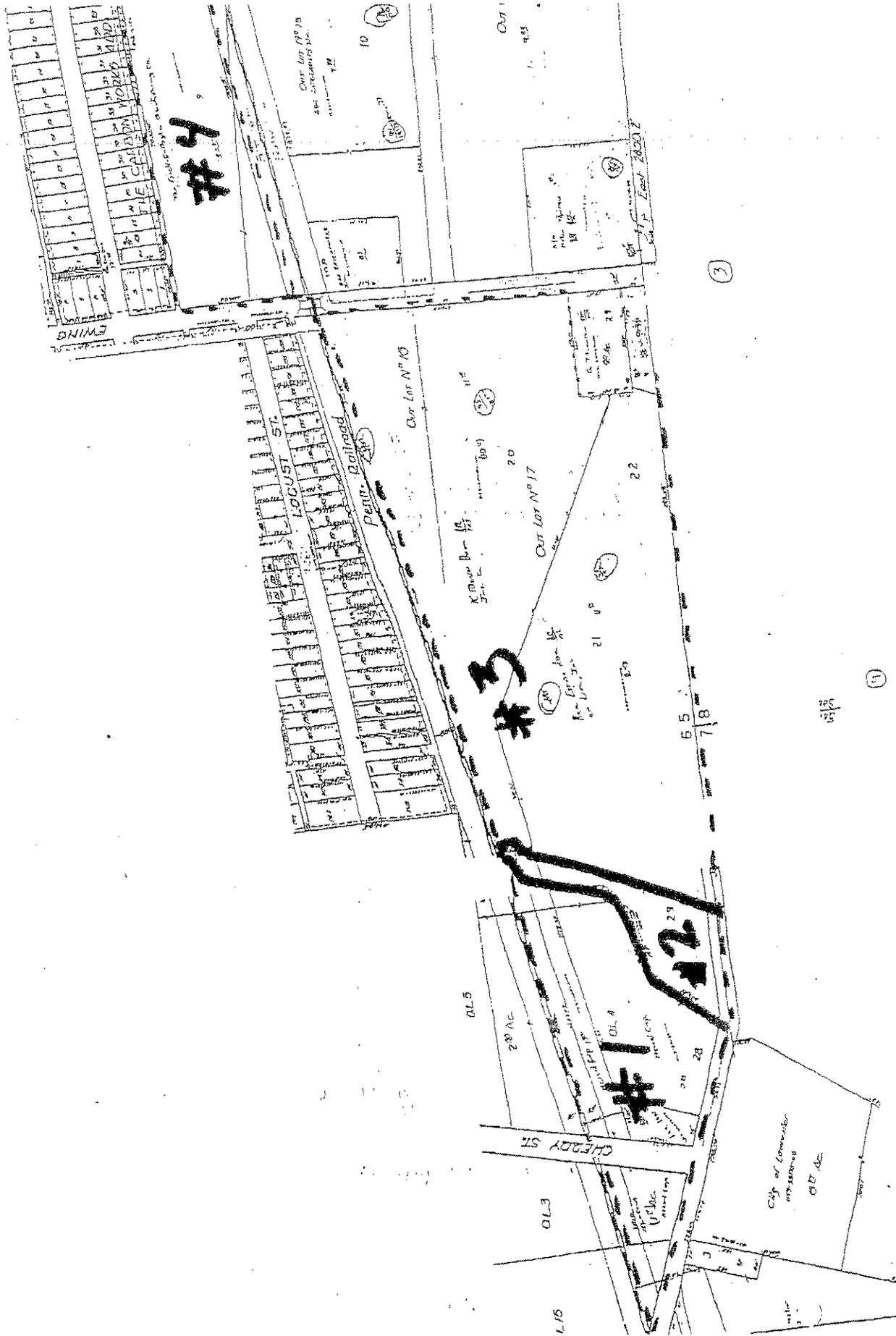
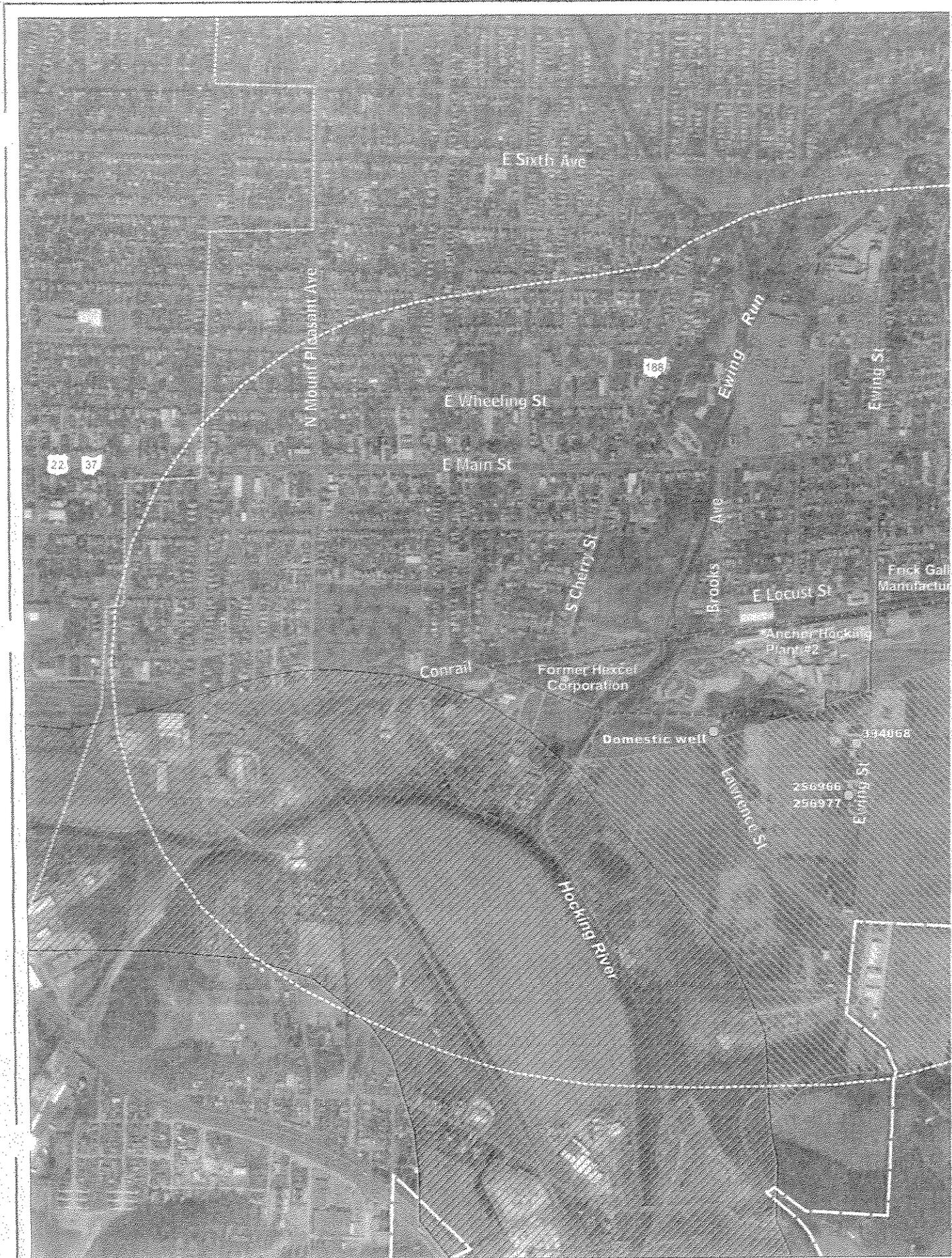


Figure 3
Well Record Locations Within the
Half-Mile Buffer of USD



E Smith Ave

N Mount Pleasant Ave

188

E Wheeling St

Ewing Run

Ewing St

22 57

E Main St

E Cherry St

Brooks Ave

E Locust St

Frick Gall Manufacturing

Conrail

Former Haxcel Corporation

Anchor Hocking Plant #2

Domestic well

134068

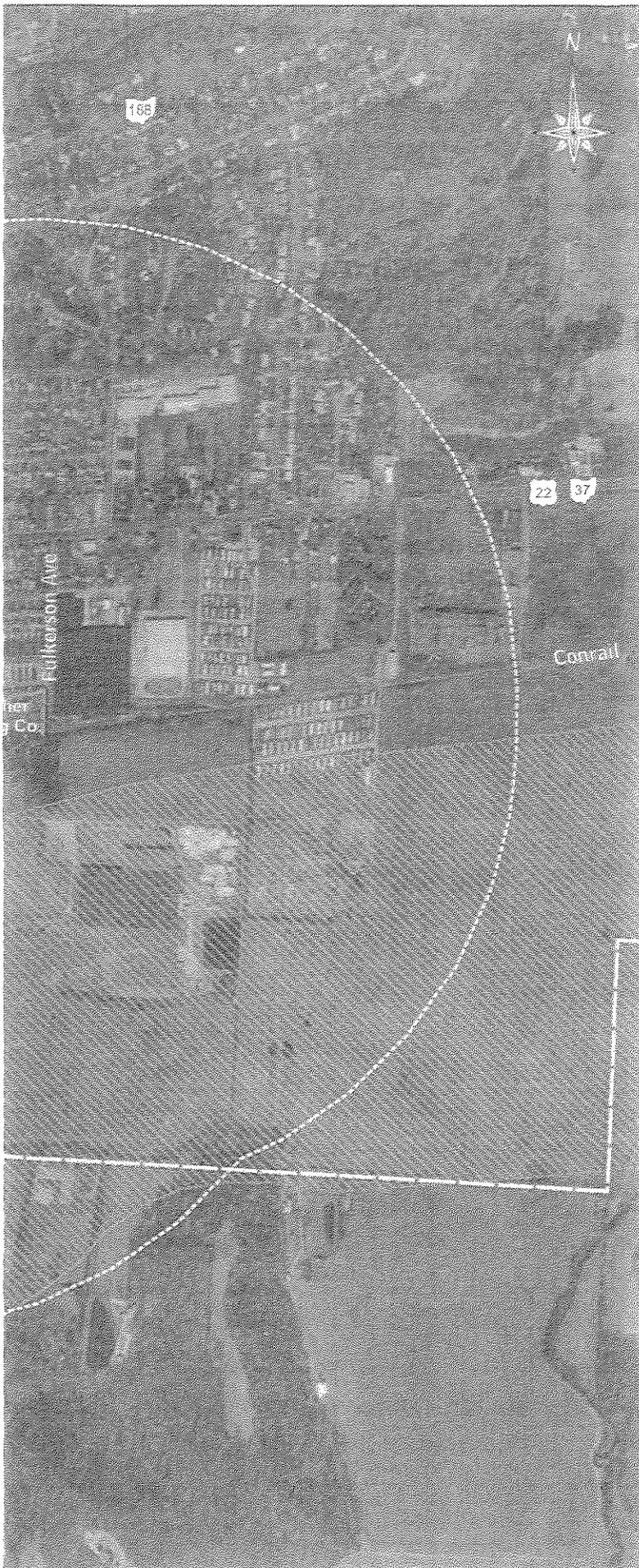
236966
258977

Lawrence St

Ewing St

Wooded Area





-  US Route
-  State Route
-  Lancaster East Side Development Corridor (Proposed USD Area)
-  Municipal Boundary
-  Public Water System Wells (See Note 2)
-  ODNR Located Well Record (See Note 3)
-  Source Protection Area (5 year time of travel)
-  One-half Mile Setback

Fairfield County Critical Resources

AREAS IN WHICH YIELDS OF AS MUCH AS 500, OR MORE, GALLONS PER MINUTE MAY BE DEVELOPED.

 Permeable sand and gravel deposits beneath the Hocking River flood plain. Yields in excess of 500 gallons per minute developed from properly constructed, large diameter wells.

AREAS IN WHICH YIELDS OF 100 TO 500 GALLONS PER MINUTE MAY BE DEVELOPED.

 Sand and gravel deposits, which partially fill ancestral drainage channels, may yield as much as 500 gallons per minute at depths of 65-165 feet. Extensive test drilling is recommended to locate the coarse deposits. Test wells reveal more than 500 feet of unconsolidated deposits that fill the ancestral channels in the northern portion of the county.

Note: ODNR water well logs within the USD and surrounding vicinity indicate that water production information does not correlate with the information presented on the Ground Water Resources of Fairfield County Map (Schmidt, 1992). ODNR well logs from wells within the USD limits indicate that groundwater is obtained from the unconsolidated sands and gravel deposits with potential yields greater than 100 to 500 GPM. ODNR logs from wells located immediately south of the USD area, along South Bang and Duffy Roads, are completed in the underlying bedrock aquifer due to the lack of groundwater in the unconsolidated deposits. Bedrock wells in this area generally produce yields of 10 to 25 GPM. However, the ODNR Ground Water Resource Map indicates yields between 100 and 500 GPM.

- Notes:
- 1) Approximate extent of unconsolidated deposits; only yield information greater than 100 gallons per minute is shown as provided on the ODNR Groundwater Resources Map for Fairfield County.
 - 2) Ohio EPA Division of Drinking and Ground Waters Active Fairfield County Public Water Supply Systems, January 2003.
 - 3) Well locations that have been obtained from the Ohio Department of Natural Resources pre-1953, unlocated, and located well logs. These locations are based solely on the well log information and have not been verified in the field. Therefore, the actual number of wells used for potable purposes, if any exist, would likely be less due to wells that have been abandoned or that may be used for non-potable purposes.

Sources: US Geological Survey, US EPA, ODNR, OGRIP
Image date: April 1994



Hull & Associates, Inc.
DUBLIN, OHIO

LANCASTER EAST SIDE DEVELOPMENT CORRIDOR
REQUEST FOR URBAN SETTING DESIGNATION

**Well Record Locations Within the
Half-Mile Buffer of USD**

CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

DATE: MAY 2003 CIL005

USE OF
LOGO FOR
PROMOTIONAL
PURPOSES

LANCASTER
LABORERS
LOCAL 800



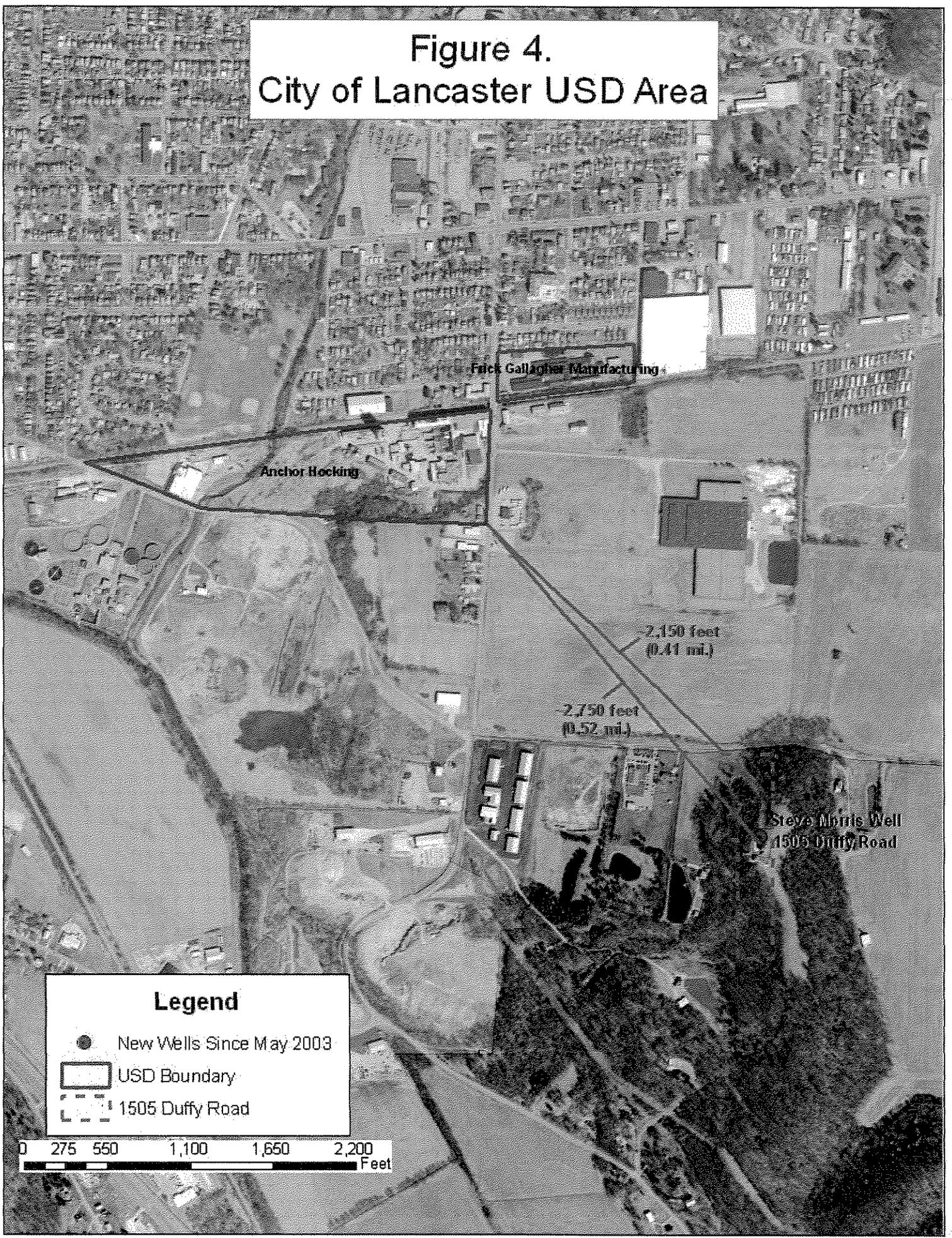
RAVENSFIELD



Hull & Associates, Inc.

Figure 4
Approximate Location of New ODNR Well Log

Figure 4.
City of Lancaster USD Area



Frank Gallagher Manufacturing

Anchor Hocking

2,150 feet
(0.41 mi.)

2,750 feet
(0.52 mi.)

Steve Morris Well
(1505 Duffy Road)

Legend

● New Wells Since May 2003

▭ USD Boundary

- - - 1505 Duffy Road

0 275 550 1,100 1,650 2,200 Feet

Figure 5
Location City of Lancaster's
Source Water Protection Areas



Legend

-  East Lancaster Development Corridor USD
-  Public Water System Wells
- Source Water Protection Areas (ground water)**
-  Community Public Water Systems (inner and outer protection zones)
-  Nontransient Noncommunity Public Water Systems
-  Transient Noncommunity Public Water Systems

SWAP Information Request
 County: Fairfield
 Location: East Lancaster Development Corridor USD

Disclaimer: Delineation of drinking water source protection areas for public water systems in Ohio is ongoing. As a result, this map may not include all drinking water source protection areas in the area depicted.
 Map requested by: Robm Roth
 Map completed by: Michael Bondoo, Central District Office
 June 3, 2008



Drinking Water Source Protection Areas

<http://www.epa.state.oh.us/ddagwpdu.swap.html>



ATTACHMENTS

Attachment A
Ohio EPA's Approval of USD Request

Miki Ebner

RECEIVED

JUL 14 2003

OHIO EPA/CDO

CORRECTED COPY

Mike E.



State of Ohio Environmental Protection Agency

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Columbus, OH 43216-1049

RECEIVED

JUN 11 2003

OHIO EPA/CDO

Craig Kasper, P.E.
Certified Professional
Hull & Associates, Inc.
6130 Wilcox Road
Dublin, Ohio 43016

RE: Approval of the Urban Setting Designation Request - City of Lancaster (03GR007)

Dear Mr. Kasper:

The purpose of this letter is to respond to and conditionally approve your request on behalf of the City of Lancaster for an Urban Setting Designation (USD) within the City of Lancaster ("Lancaster USD"). The requested area of the USD consists of approximately 33 acres of primarily commercial and industrial land within the City of Lancaster. A legal description of the properties the subject of the USD approval are included as Attachment 1, and a map of the USD property and surrounding area is included as Attachment 2.

You made the request for the Lancaster USD pursuant to Ohio Administrative Code (OAC) Rule 3745-300-10(D) (revised effective October 21, 2002) under the Voluntary Action Program (VAP). A USD authorizes the use of an alternative standard for a ground water remediation based upon the urban nature of the area, the availability and widespread use of public drinking water supplies, and the lack of use of ground water in the area for potable purposes.

As you know, a Certified Professional (CP) may request a USD under the VAP upon demonstration that the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g) have been met for the proposed USD. The threshold criteria include consideration of the factors contained in OAC 3745-300-10(D)(2)(e)(ii) through (vii), regarding, among other things, regional water resource needs, existing or potential future uses of ground water, and the potential impact of the USD on surrounding jurisdictions.

The following information briefly describes how your request for the Lancaster USD meets the threshold criteria in OAC 3745-300-10(D)(1)(a) through (g), and satisfies Ohio EPA's consideration of the additional factors contained in OAC 3745-300-10(D)(2)(e)(ii) through (vii).

I. THRESHOLD CRITERIA: OAC 3745-300-10(D)(1)(a) through (g).

The following information demonstrates satisfaction of the requirements contained in OAC 3745-300-10(D)(1)(a) through (g), the USD criteria for the properties comprising the Lancaster USD.

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

3. OAC Rule 3745-300-10(D)(1)(d): Presence of a community water system capable of meeting future water needs.

A letter from the City of Lancaster Department of Engineering and Environmental Division dated May 7, 2003 outlining the current and future water capacity of the City of Lancaster, is included in Attachment C of the USD request. The City of Lancaster currently produces an average of five million gallons per day (mgd) of water from the Miller Park Well Field. The City is currently expanding water production with an additional well field and water plant located to the south of the City. This well field will have a production capacity of eight mgd expandable to 13 mgd. With the addition of this well field, plus improvements planned to the water distribution system, the maximum production capacity will be 19.5 mgd, almost four times the current water production. This letter is included in Attachment C of the USD request.

4. OAC 3745-300-10(D)(1)(e): Lancaster USD not within a "drinking water source protection area for a public water system using ground water".

A letter from Ohio EPA's Division of Drinking and Ground Waters (DDAGW), dated February 24, 2003, states that there are no sole source aquifers within the Lancaster city limits. Plate 3 of the USD request shows the location of Lancaster's Drinking Water Source Water Protection Area, which demonstrates that the USD area is not located within a Drinking Water Source Water Protection Area for a Public Water System Using Ground Water. This letter is included in Appendix H of the USD request.

5. OAC 3745-300-10(D)(1)(f): Potable wells not located within one-half mile of the USD boundary.

OAC 3745-300-10(D)(1)(f) requires that potable use wells not be located within one-half mile of the requested USD. However, the rule further provides the requested USD may still be acceptable if the CP demonstrates that the capture zones of any potable use wells within one-half mile do not extend under the USD property. Based on the USD request, the various sources were reviewed to determine whether potable wells are located within one-half mile of the USD: potable use well records from the Ohio Department of Natural Resources (ODNR); active noncommunity transient, and noncommunity nontransient water system records from the Ohio EPA; the City of Lancaster Utility Department sewer and well account records; City of Lancaster Division of Water records; and the Fairfield Department of Health. Wells that were determined to fall within one-half mile of the USD area were inventoried in the field to determine their location. This survey turned up 18 wells located within one-half mile of the USD boundary. The USD request demonstrates that the capture zones of these wells do not extend under the USD area, or that the wells will be disconnected and no longer used for potable water, as noted below. Plate 4 in the USD request shows the location of the wells.

1. OAC 3745-300-10 (D)(1)(a): Property location within city limits.

Attachment B of the USD request documentation (USD request) includes population data from the 2000 census for the City of Lancaster. Lancaster meets the definition of a city. Plate 1 of the USD request shows that the USD is completely contained within the corporation limits of the City of Lancaster.

2. OAC 3745-300-10(D)(1)(b)-(c): Parcels connected to a community water system.

The following information supports the conclusion that at least 90% of the parcels in Lancaster are connected to a public water supply.

- a. The USD request shows the number of parcels with water available by using the City of Lancaster's GIS system to create a 100-foot setback from each existing 4 inch water line at the curb. Attachment D contains the water distribution system for the City of Lancaster. Since the map does not include 2 inch water lines, this is a conservative estimate of connectivity. Using this assessment, it was determined that 91.5% of the total parcels with frontage on a road are connected or capable of being connected to a municipal water supply. Adding the smaller secondary lines through a manual count, the USD request shows a total of 95% of parcels capable of being connected to the municipal water supply.
- b. The total number of well records was subtracted from the total number of parcels with City water available was used to determine the percentage of parcels within the City that are connected to City water. This assessment determined that 92.5% are connected to the municipal water supply system.
- c. A water system distribution map was provided by the City of Lancaster that demonstrates the complete coverage provided by the municipal water supply system. A copy of the map is provided in Attachment D of the USD request.
- d. Based on 1990 Census data, 98.3% of the housing units within the City of Lancaster obtain their water from the municipal water supply system or a private company. The Census data is included in Attachment F of the USD request.

Attachment M of the USD request contains a copy of Ordinance No. 11-03, adopted by the City of Lancaster along with the Fairfield county Combined Health Department. The ordinance, adopted by the City of Lancaster on April 7, 2003, restricts the use of ground water for potable purposes within the City limits. The ordinance prohibits the installation of any potable water supply well within the incorporated limits of the City. It also requires that all existing private potable water supply wells in Lancaster to be disconnected or abandoned, and the property to connect to the municipal water supply system.

- Three potable wells were located on the Anchor Hocking Plant #2 Property, one of the properties included in the USD. All three wells have been disconnected and the property connected to the City water supply system.
- Five potable wells were determined to exist about one-half mile southwest of the USD. These wells are located on the west side of the Hocking River, which flows between these five wells and the USD. Previous hydrogeologic investigations associated with the City of Lancaster's Wellhead Protection Plan for the Miller Park Wellfield determined that the Hocking River gains water from the ground water except in the immediate vicinity of the City Wellfield. Ground water flow is captured by the river from both sides of the river. Therefore, the Hocking River provides a hydraulic barrier to flow from water under the USD. The capture zones of the wells located west of the Hocking River would not extend under the USD area.
- Four potable wells were determined to be located approximately 700 feet to the southeast of the USD. Based on City Ordinance 11-03, the wells are required to be disconnected and the residences connected to the municipal water supply. Ohio EPA understands that one of the wells is currently in the process of being disconnected and that the City intends to have the remaining three wells disconnected prior to mid-August, 2003. Attachment M of the USD request includes copies of the letters of notification to the homeowners, and an affidavit from the City detailing the notification process. A map showing the location of the potable wells southeast of the USD is included as Attachment 3 to this letter.
- Six potable wells are located just within one-half mile south of the USD. One of these wells is located within the City limits, and must be disconnected as required by the ordinance. The other five wells are located outside the City incorporated limits. Though these wells are not required to be disconnected, the capture zones from these wells do not extend under the USD. These wells are completed in the bedrock ground water zone. Information from nearby ODNR well logs indicates that the yield of the bedrock ground water zone is about 10 to 15 gpm.

The USD request relies on a weight of evidence approach to demonstrate that the capture zones of these five wells will not extend under the USD.

1. Based on a review of located ODNR well logs and the ODNR Ground Water Resources of Fairfield County Map (Schmidt, 1992), the bedrock ground water zone likely has a lower hydraulic conductivity than the unconsolidated ground water zone. The ground water from the property is therefore likely to flow preferentially through the unconsolidated sediments rather than the bedrock ground water zone. No wells currently are completed in the unconsolidated materials above the bedrock. Ordinance 11-03 prohibits the installation of new potable private wells.
2. The USD request shows ground water present within the bedrock flows to the west and southwest, towards the Hocking River. The demonstration uses a potentiometric contour map of the bedrock ground water based on water elevation data from the five bedrock wells. Based on the location of the wells and the location of the USD, the capture zone of the wells would extend to the northeast, not to the northwest, under the USD.
3. Based on a ground water flow model developed as part of the Wellhead Protection Plan for the Miller Park Wellfield, ground water flowing in the bedrock provides recharge to ground water in the shallower unconsolidated sediments. Thus, the capture zones of wells screened in the bedrock would not extend under the USD.

In addition, USD request considers the potential for ground water to flow along the bedding planes that dip to the south 56 degrees east at an angle of approximately 3.0 to 4.5 degrees. Though the direction of the dip is towards the wells south of the USD, due to the low dip of the bedding planes and the vertical location of the well intakes, ground water or contaminants flowing from the USD along bedrock bedding planes would not impact the wells.

6. **OAC 3745-300-10(D)(1)(g): Criteria applicable to USD property located over a consolidated sole source aquifer or 100 gpm unconsolidated aquifer.**

Ohio EPA provided a map, included in Attachment H of the USD request, showing the location of all sole source aquifers in the State of Ohio. The map indicates that a sole source aquifer is not located beneath the USD. However, the USD is located over an unconsolidated zone capable of yielding more than 100 gpm.

Thus, a demonstration must be made that there is no reasonable expectation that wells would be installed or used within a one-half mile radius of the USD boundary. The

following is a brief discussion of Ohio EPA's review of the USD request related to the criteria of OAC 3475-300-10(D)(1)(g)(i) through (iv).

a. OAC 3475-300-10(D)(1)(g)(i): Legally enforceable restrictions.

Attachment M of the USD request includes a copy of Ordinance No. 11-03, adopted by the City of Lancaster in cooperation with the Fairfield County Combined Health Department. The ordinance, adopted by the City of Lancaster on April 7, 2003, restricts the use of ground water for potable purposes within the City limits. The ordinance prohibits the installation of any potable water supply well within the incorporated limits of the City. It also requires that all existing private potable water supply wells in Lancaster to be disconnected or abandoned, and the property to connect to the municipal water supply system within 120 days of the issuance of the ordinance.

b. OAC 3475-300-10(D)(1)(g)(ii): Current land use patterns or ground water quality.

Considering the extensive coverage of the City water distribution system, the primarily commercial and industrial land use, and the planned water supply expansions, it is expected that future potable water supply within one-half mile of the USD is more practical from the municipal water supply system than from installing private wells. A map of City zoning area is included in Plate 6 of the USD request. A map of the City water distribution system is included in Attachment D of the USD request. A letter detailing the planned water supply system expansions is included in Attachment C of the USD request.

c. OAC 3475-300-10(D)(1)(g)(iii): 90% of parcels within one-half mile of USD connected to community water system.

By subtracting the number of potable use wells within one-half mile of the USD from the number of parcels within one-half mile of the USD, the USD request demonstrates that greater than 90% of parcels within one-half mile of the USD are connected to the community water system. As outlined in Comment 2 above, greater than 94.4% of the parcels within one-half mile of the USD property are connected to the community water supply. In addition, the City of Lancaster Ordinance No. 11-03 restricts the installation of any potable water supply wells within the incorporated limits of the City and requires connection to the municipal water supply system. A copy of the ordinance is located in Attachment M of the USD request.

d. OAC 3475-300-10(D)(1)(g)(iv): Capture zones from potable use wells not reasonably anticipated to extend under the USD.

As the City of Lancaster has adopted an ordinance requiring the disconnection of all private potable wells and forbidding the installation of new private potable wells, no

potable wells are reasonably expected to be installed or used within one-half mile of the USD. Therefore, the capture zones from any such wells are not reasonably anticipated to extend under the USD.

II. ADDITIONAL FACTORS FOR CONSIDERATION: OAC 3745-300-10(D)(2)(e)(ii) through (vii):

In addition to the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g), OAC 3745-300-10(D)(2)(e)(ii) through (vii) requires the Ohio EPA Director to consider several factors to determine the potential impact of the USD on surrounding jurisdictions and regional water resource needs: whether the ground water in the area of the USD is currently or is reasonably expected to be used as a future source of potable ground water, the availability and feasibility of treatment systems; and any other factors determined to be relevant to the determination of whether the USD is protective of public health, safety and the environment. The following is a discussion of these factors:

OAC 3745-300-10(D)(2)(e)(ii) through (iii): Potential impact of the USD on surrounding jurisdictions and regional water resource needs.

To determine potential impacts on surrounding jurisdictions, the Ohio EPA normally looks at communities located within a five mile radius of the USD. Since no municipal areas or jurisdictions are located within five miles of this USD, it was determined that a sampling of jurisdictions within ten miles of the USD would be contacted to determine regional ground water resource needs. After consultation with representatives of several jurisdictions within a ten (10) mile radius surrounding the USD, the criteria contained in OAC Rule 3745-300-10 (D)(2)(e)(ii) and (iii) have been considered by Ohio EPA, with the information received. The following is a summary of the information received:

- a. The Village of Baltimore is in the northern portion of Fairfield County, approximately 9 miles from the Lancaster USD. Baltimore operates its own water treatment plant and obtains its water from wellfields located at the northeast side of the village. Most of the aquifer is outside the village limits as indicated by an Ohio EPA wellhead assessment. Baltimore also supplies the Village of Thurston with drinking water. The ground water supplied to the Village of Baltimore will not be impacted by the Lancaster USD as Baltimore is located several miles upgradient of the USD.
- b. The Village of Bremen is in the southeastern corner of Fairfield County, approximately 9 miles from the Lancaster USD. Bremen operates its own water treatment plant and obtains its water from 2 wellfields. One wellfield is located inside the village limits near Carter Street and State Route 664; the second wellfield is located near East Marietta Street in Howell Park. Bremen also supplies the Village of Rushville and the Village of West Rushville with drinking water. The Village of Baltimore is interested in acquiring more land for its

wellfields (in order to meet a requirement for 300 feet isolated radius per each well for wellhead protection), and the present water treatment plant will need to be upgraded or replaced. In addition, the Village of Bremen may possibly supply the Hideaway Hills development with drinking water in the future, but there are no finalized plans for that proposal. These current and future needs for the Village of Bremen will not be impacted by the Lancaster USD as Bremen is located upgradient of the USD.

- c. The Village of Pleasantville is in the northeastern portion of Fairfield County, approximately 8 miles from the Lancaster USD. Pleasantville owns a water treatment plant but contracts with the Walnut Creek Sewer District to operate it. The Village obtains its water from wells located on Pleasantville Road (County Road 17). The Village of Pleasantville presently does not have any plans for expanding its water supplies. The ground water supplied to the Village of Pleasantville will not be impacted by the Lancaster USD as Pleasantville is located several miles upgradient of the USD.
- d. The Village of Sugar Grove is in the southeastern portion of Fairfield County, approximately 6 miles from the Lancaster USD. Sugar Grove operates its own water treatment plant and obtains its water from 2 wells located west of the railroad track on 3 acres between the village park and U.S. Route 33. The wells are less than 1 mile from the water treatment plant. One of the wells had to be dug deeper (to a depth of 58 feet) as it started going dry. The Village of Sugar Grove considers its water supplies currently sufficient; however, notes that could change depending on future growth and annexation. The ground water supplied to the Village of Sugar Grove is not expected to be impacted by the Lancaster USD as Sugar Grove is located at least six miles downgradient of the USD.
- e. The Village of Carroll is located in the northwestern portion of Fairfield County, approximately 8 miles from the Lancaster USD. The Village obtains its water from 3 wells located in the center of the village. The wells are sufficient to meet the present and future water needs of the Village. The Village of Carroll is located several miles upgradient of the USD and as a result would not be impacted by the Lancaster USD.
- f. The Village of Amanda is located in the southwestern portion of Fairfield County, approximately 8 miles from the Lancaster USD. Ohio EPA was unsuccessful in its attempts to contact Village officials regarding their current and anticipated potable water use needs. However, the Village of Amanda has been determined to be in a different flow regime than the flow regime of the Lancaster USD and therefore, the USD is not expected to impact the Village's water supply.

OAC 3745-300-10(D)(2)(e)(iv) through (v): Current or expected future ground water use.

The jurisdictions contacted by Ohio EPA do not have treatment systems (or plans to install any treatment systems) designed to protect against exposure to chemicals in excess of VAP potable standards. Given no adverse impact is expected on any of their water supplies as a result of the USD (based on ground water flow, as noted above), the lack of treatment capability is not relevant to the USD approval.

OAC 3745-300-10(D)(2)(e)(vii): Other factors.

The USD has been the subject of a public meeting that was held at the Lancaster City Counsel Chambers on May 21, 2003. No public comments have been presented to or received by Ohio EPA questioning the accuracy of the information gathered regarding this USD request. Also, Ohio EPA has received no additional factual information to suggest that the USD would not be protective of public health and safety and the environment. Further, Ohio EPA has been in contact with representatives from the City of Lancaster and city officials appear to be in support of, not in opposition to, the USD request.

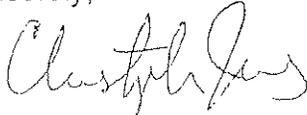
This letter, approving your request for the Lancaster USD, is not a final action of the Director. The approved USD may be used to establish applicable ground water standards for a property located within the Lancaster USD. However, the use of the Lancaster USD is contingent upon a CP's determination, at the time of the submission of a No Further Action letter for the property, that no significant change of circumstances has occurred that affect the criteria upon which the USD is approved, as contained in OAC 3745-300-10(D) and this letter.

This approval of the Lancaster USD is conditioned on the closure of four potable use wells and connection to the City's water supply, and verification of the same. More specifically, the condition presumes the four potable wells designated as well numbers 394068, 256966, 256977, and the "domestic well" will be properly abandoned and the affected premises connected to the City water supply by August 22, 2003 in accordance with City Ordinance 11-03. Attachment 3 shows the locations of the wells. To demonstrate the condition is met, you (as certified professional) or the City must submit to Ohio EPA, to the attention of Amy Yersavich, VAP Manager, P.O. Box 1049, Columbus, Ohio 43215, an affidavit signed by a City official attesting to the completed closure of the four potable wells and connection of the affected premises to the City's water supply.

In addition, the use of the Lancaster USD as an applicable ground water standard is contingent upon demonstration in a No Further Action letter that the property the subject of the No Further Action letter is eligible for participation in the VAP, pursuant to Ohio Revised Code § 3746.02 and OAC 3745-300-02. Finally, this USD approval pertains only to eligible properties located within the Lancaster USD, and is not applicable to any other property.

Thank you for your interest and participation in the VAP. If you have any questions concerning this letter, please contact Amy Yersavich at (614) 644-2285 or Mike Ebner at (614) 466-2476.

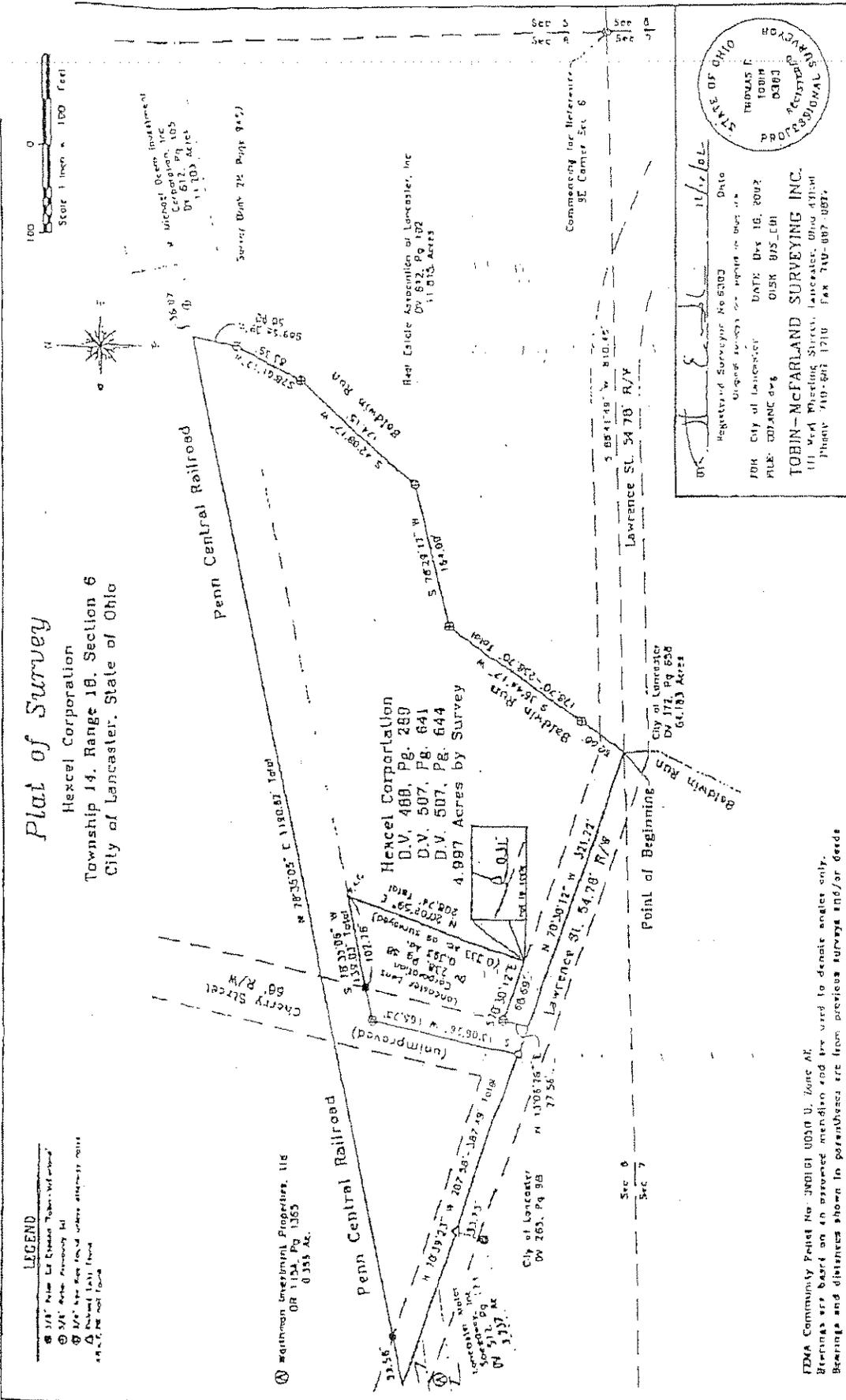
Sincerely,



Christopher Jones
Director, Ohio EPA

cc: Amy Yersavich, Manager DERR-CO
Frank Robertson, Supervisor, DERR-CO
Sydney Poole, Geologist, DDAGW-CO
Mike Ebner, Environmental Specialist, DERR-CDO
Linnea Saukko, Supervisor, DDAGW-CDO
Jason Reed, Geologist, DDAGW-CDO
Sue Kroeger, Attorney, Legal
DERR-CO Files

ATTACHMENT 1



#1

TOBIN-McFARLAND SURVEYING, INC.

Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43110
Phone (740) 687-1710
Fax (740) 687-0877

#1



Description of 4.997 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 6, City of Lancaster and being all of a tract described to Hexcel Corporation by Deed Volume 488, Page 289, Deed Volume 507, Page 641, and Deed Volume 507, Page 644 Fairfield County Recorder's Office, and being more particularly described as follows:

COMMENCING FOR REFERENCE at a 3/4" iron pipe found at the southeast corner of Section 6,

Thence South 88°41'49" West with the south line of Section 6 a distance of 810.46 feet to a point in Lawrence Street over Baldwin Run and being THE TRUE POINT OF BEGINNING;

Thence North 70°30'12" West a distance of 321.72 feet to a point in the center of Lawrence Street;
Thence North 13°06'26" East a distance of 27.56 feet to a 3/4" iron pipe found at the intersection of the north line of Lawrence Street and the east line of Cherry Street (unimproved) and the southwest corner of a 0.393 acre tract described in Deed Volume 238, Page 88;
Thence South 70°30'12" East a distance of 68.69 feet to a point at the southeast corner of said 0.393 acre tract and on the north line of Lawrence Street;
Thence North 20°02'59" East, passing a railroad spike found at 0.31 feet, a distance of 208.74 feet to a PK Nail found at the northeast corner of said 0.393 acre tract;
Thence South 78°35'06" West, passing a 5/8" rebar set on the northeast corner of said 0.393 acre tract and the east line of Cherry Street (unimproved) at 102.76 feet, a distance of 139.03 feet to a 3/4" iron pipe found in the center of Cherry Street (unimproved);
Thence South 13°06'26" West a distance of 165.73 feet to a railroad spike found at the intersection of the centers of Cherry Street (unimproved) and Lawrence Street;
Thence North 70°39'23" West, passing a railroad spike found at 207.58 feet, a distance of 387.49 feet to a point in the center of Lawrence Street and on the southerly right of way of the Penn Central Railroad;
Thence North 78°35'05" East a distance of 1190.82 feet to a point in Baldwin Run and on said railroad right of way, said point being witnessed by a 5/8" rebar previously set North 78°35'05" East a distance of 36.07 feet;

Thence along Baldwin Run the following four (4) courses:

- 1) South 09°58'39" West a distance of 50.90 feet to a 5/8" rebar previously set;
- 2) South 28°01'17" West a distance of 83.39 feet to a 5/8" rebar previously set;
- 3) South 42°08'17" West a distance of 174.15 feet to a 5/8" rebar previously set;
- 4) South 76°29'17" West a distance of 164.00 feet to a 5/8" rebar previously set;

Thence continuing along Baldwin Run South 36°44'17" West, passing a 5/8" rebar previously set at 178.70 feet, a distance of 238.70 feet to THE TRUE POINT OF BEGINNING containing 4.997 acres, and being subject to all legal easements, restrictions, and rights-of-way of record.

Bearings are based on an assumed meridian and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description

This description is based on a survey made in December 2002 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Originals are signed in blue ink



Thomas E. Tobin 12/16/02
Thomas E. Tobin, P.S. Date

December 16, 2002
Date

#2

TOBIN-McFARLAND SURVEYING, INC.



Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax. (740) 687-0877

Description of 1.494 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 6, City of Lancaster and being part of a 11.023 acre tract described to K. Michael Deem Investment Corporation, Inc. by Deed Volume 612, Page 105 and a 11.815 acre tract described to Real Estate Association of Lancaster in Deed Volume 612, Page 102 Fairfield County Recorder's Office, and being more particularly described as follows:

COMMENCING FOR REFERENCE at a 3/4" iron pipe found at the southeast corner of Section 6;
Thence South 88°55'12" West a distance of 578.35 feet to point in Lawrence Street, on the south line of Section 6, and THE TRUE POINT OF BEGINNING;

Thence South 88°55'32" West a distance of 232.11 feet to a point;
Thence North 36°48'09" East, passing a 5/8" rebar previously set at 60.00 feet, a distance of 238.70 feet to a 5/8" rebar previously set;
Thence North 76°43'00" East a distance of 164.00 feet to a 5/8" rebar previously set;
Thence North 42°22'00" East a distance of 174.15 feet to a 5/8" rebar previously set;
Thence North 28°15'00" East a distance of 83.39 feet to a 5/8" rebar previously set;
Thence North 10°12'22" East a distance of 50.90 feet to a point;
Thence North 78°48'49" East, passing a 5/8" rebar previously set at 36.07 feet, a distance of 82.54 feet to a 5/8" rebar previously set;
Thence North 11°11'11" West a distance of 55.41 feet to a 5/8" rebar previously set;
Thence North 78°48'49" East a distance of 21.51 feet to a point;
Thence South 11°11'11" East a distance of 42.04 feet to a 5/8" rebar set;
Thence South 07°15'39" West a distance of 44.80 feet to a 5/8" rebar set;
Thence South 57°40'51" West a distance of 41.41 feet to a 5/8" rebar set;

Thence South 33°45'03" West, passing a 5/8" rebar set at 494.08 feet, a distance of 532.86 feet to THE TRUE POINT OF BEGINNING and containing 1.494 acres, of which 1.365 acres is from said 11.815 acre tract and 0.129 acres is from said 11.023 acre tract.

Bearings are based on a previous survey located in Survey Book 28, Page 9457 and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in September 1992 and April 2003 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Originals are signed in blue ink



Thomas E. Tobin 4/30/03
Thomas E. Tobin, P.S. Date

April 30, 2003
Date

TOBIN-McFARLAND SURVEYING, INC.



Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (748) 687-1710
Fax. (740) 687-0877

#3

Description of 21.344 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 6, City of Lancaster and being part of a 11.023 acre tract described to K. Michael Deem Investment Corporation, Inc. by Deed Volume 612, Page 105 and a 11.815 acre tract described to Real Estate Association of Lancaster in Deed Volume 612, Page 102 Fairfield County Recorder's Office, and being more particularly described as follows:

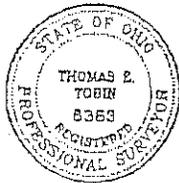
BEGINNING at a 3/4" iron pipe found at the southeast corner of Section 6;
Thence South 88°55'32" West a distance of 578.35 feet to point in Lawrence Street, on the south line of Section 6;
Thence North 33°45'03" East, passing a 5/8" rebar set at 38.78 feet, a distance of 532.86 feet to a 5/8" rebar set;
Thence North 57°40'51" East a distance of 41.41 feet to a 5/8" rebar set;
Thence North 07°15'39" East a distance of 44.80 feet to a 5/8" rebar set;
Thence North 11°11'11" West a distance of 42.04 feet to a 5/8" rebar set;
Thence North 78°48'49" East a distance of 362.26 feet to a 5/8" rebar previously set;
Thence North 79°51'30" East a distance of 700.30 feet to a 5/8" rebar previously set;
Thence North 78°48'49" East a distance of 304.00 feet to a 5/8" rebar previously set;
Thence South 01°28'29" East a distance of 28.41 feet to a nail found in a concrete wing wall on the Ewing Street bridge over the railroad;
Thence South 01°20'10" East a distance of 461.45 feet to a chiseled cross found in a concrete walk;
Thence along a curve to the right with a radius of 2838.93 feet, an arc length of 106.90 feet, and a chord bearing and distance of South 00°15'26" East 106.89 feet to a point;
Thence North 89°20'56" West, passing a 5/8" rebar previously set at 3.00 feet, a distance of 275.12 feet to a 1" square iron pin found;
Thence South 00°37'40" West a distance of 137.00 feet to a point;
Thence South 89°21'02" East, passing a 5/8" rebar previously set at 38.12 feet, a distance of 66.00 feet to a 5/8" iron pipe found;
Thence South 00°40'50" West a distance of 59.40 feet to a 3/4" iron pipe found on the southerly line of Section 5;

Thence South 89°52'27" West a distance of 893.92 feet to THE POINT OF BEGINNING and containing 21.344 acres, of which 10.450 acres is from said 11.815 acre tract and 10.894 acres is from said 11.023 acre tract.

Bearings are based on a previous survey located in Survey Book 28, Page 9457 and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in September 1992 and April 2003 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Originals are signed in blue ink



Thomas E. Tobin 4/30/03
Thomas E. Tobin, P.S. Date

April 30, 2003
Date

#4

Form No. 100 TRANSFER DEED - From a Corporation

TOTAL SALE PRICE \$ 0.00

Know all Men by these Presents

That, RAY-O-VAC CORPORATION, a Delaware Corporation, whose name was changed to RAYOVAC Corporation effective Nov. 18, 1981 ~~has conveyed to the Grantor, for the consideration of~~ the Grantor, for the consideration of

One dollar and other valuable consideration, received to the full satisfaction of THE PRICK-CALLAGHER MANUFACTURING COMPANY

Wellborn, OH 45697 the Grantee, does here, Grant, Bargain, Sell and Convey unto the said Grantee, its successors, heirs and assigns, the following described premises, situated in the City of Lancaster, County of Fairfield and State of Ohio:

Being part of the Southwest Quarter of Sec. Five (5), Township Fourteen (14), Range Eighteen (18), and is also a part of outlots number Twenty (20) and Twenty-Three (23) of the second subdivision of outlots, east of the City of Lancaster, by the Lancaster Ohio Bank, and is bounded by: Beginning at a point where the north line of the Cincinnati and Muskingum Valley Railroad right of way is intersected by the east line of said outlet number twenty-three (23); thence south seventy-nine and one-half degrees west, thirteen chains and ninety three links (13.93 chains) to the east line of the Mill Road; thence north with the east line of the Mill Road, nine chains (9.00 chains) to a post; thence north eighty-four and three-fourth degrees east, thirteen chains and eighty-eight links (13.86 chains) to the east line of said outlet number twenty-three (23); thence south eight chains (8.00 chains) to the place of beginning, containing eleven and 79/100 acres of land, more or less.

SAVING and excepting however from the land in this parcel conveyed, Lots Nos. 1 to 14 inclusive, Nos. 26 and Nos. 38 to 46 inclusive of the so-called CARDON WORKS ADDITION to Lancaster, Ohio, being an Addition made by The Consumers Carbon Company out of the premises conveyed to it by Samuel Black and wife by deed recorded in Volume 90, page 197, Fairfield County Records of Deeds of which the land described in this parcel forms a part - the above described lots having been heretofore sold and conveyed; and saving and excepting, however, from the land in this parcel conveyed, an easement and public right of way for public highway, bridge, and road purposes, in, upon, and over the lands hereinafter described: Situated in the City of Lancaster, Fairfield County, Ohio, Range Township, Section 3, Township 14, Range 18 and bounded and described as follows:

PARCEL NO. 1 Beginning at Station 3+23.5 of a survey of South Ewing Street bridge made by the Fairfield County Engineer's Office; thence North 79.5 feet to Station 4+03 of said survey; thence East 27.4 feet to a point; thence South 12+46 West 60.9 feet to a point; 14.0 feet to a point; thence South 80' 00" West 33.2 feet to the place of beginning.

SAID PREMISES also described as being Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 in the CARDON WORKS ADDITION to the City of Lancaster AND a tract of land containing 5.19 acres designated as Auditor's Parcel No. 535.0070.00.

AND a vacated alley twelve (12) feet wide lying south of and abutting said lots 27 through 37 (vacated by Ordinance 15-82)

REFERENCE being had to Deed recorded in Volume 501, page 114, Fairfield County Deed Records.

TRANSFERRED REAL ESTATE CONVEYANCE

FEB 5 3 25 '82

MAY 25 1982

RECORDED AND APPROVED FOR TRANSFER BY THE CLERK OF THE COUNTY OF FAIRFIELD, OHIO, THIS 25th DAY OF MAY 1982

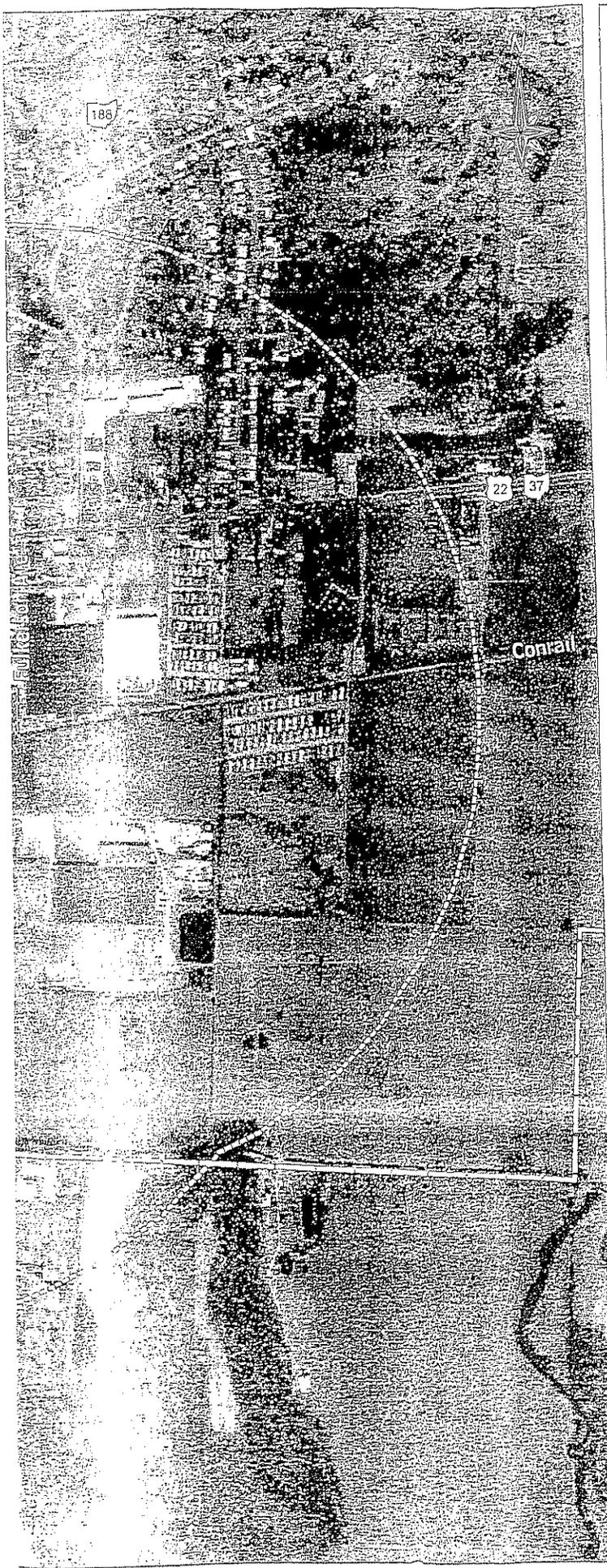
James P. Lind Auditor, Fairfield County, Ohio

CVR 510 PAGE 139

FOR APPROVAL - See Note to 17-Cage- 882 For witnesses



ATTACHMENT 2



-  US Route
-  State Route
-  Lancaster East Side Development Corridor (Proposed USD Area)
-  Municipal Boundary
-  One-half Mile Setback

RECEIVED
MAY 29 2003
D.D.A.G.W.

Sources: US Geological Survey, US EPA, OONR, OGRIP
Image date: April 1994

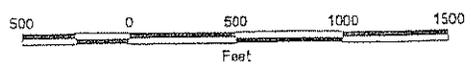


PLATE 2

Hull & Associates, Inc.
DUBLIN, OHIO

LANCASTER EAST SIDE DEVELOPMENT CORRIDOR
REQUEST FOR URBAN SETTING DESIGNATION

Urban Setting Designation Area

CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

DATE: MAY 2003 CIL005

VIEW LAYOUT PUBLISH

LANG01A002 LANG01A003 LANG01A004

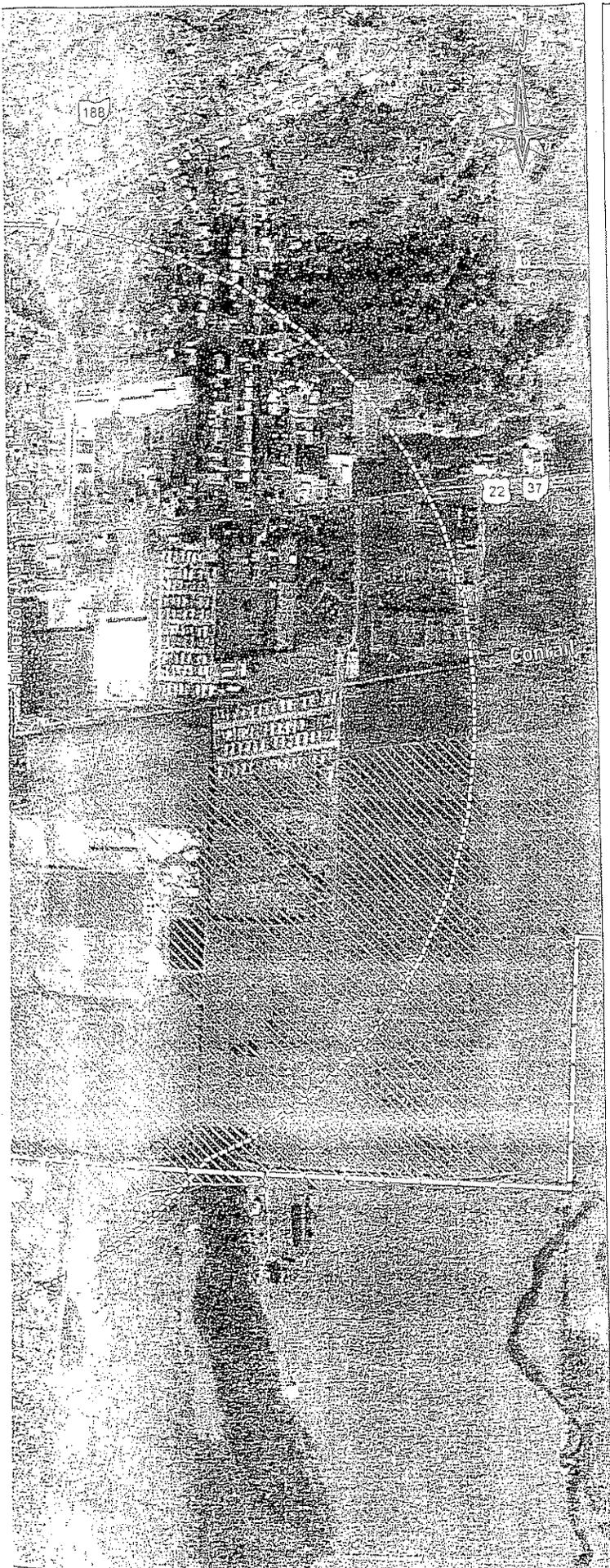


Hull
& associates, inc.





ATTACHMENT 3



-  US Route
-  State Route
-  Public Water System Wells (See Note 2)
-  ODNR Located Well Record (See Note 3)
-  Lancaster East Side Development Corridor (Proposed USD Area)
-  Municipal Boundary
-  Source Protection Area (5 year time of travel)
-  One-half Mile Setback

Fairfield County Critical Resources

AREAS IN WHICH YIELDS OF AS MUCH AS 500, OR MORE, GALLONS PER MINUTE MAY BE DEVELOPED



Permeable sand and gravel deposits beneath the Hocking River flood plain. Yields in excess of 500 gallons per minute developed from properly constructed, large diameter wells.

AREAS IN WHICH YIELDS OF 100 TO 500 GALLONS PER MINUTE MAY BE DEVELOPED



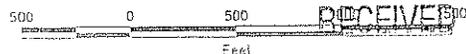
Sand and gravel deposits, which partially fill ancestral drainage channels, may yield as much as 500 gallons per minute at depths of 65-165 feet. Extensive test drilling is recommended to locate the coarse deposits. Test wells reveal more than 300 feet of unconsolidated deposits that fill the ancestral channel in the northern portion of the county.

Note: ODNR water well logs within the USD and surrounding vicinity indicate that water production information does not correlate with the information presented on the Ground Water Resources of Fairfield County Map (Schmidt, 1992). ODNR well logs from wells within the USD limits indicate that groundwater is obtained from the unconsolidated sands and gravel deposits with potential yields greater than 100 to 500 GPM. ODNR logs from wells located immediately south of the USD area, along South Ewing and Duffy Roads, are completed in the underlying bedrock aquifer due to the lack of groundwater in the unconsolidated deposits. Bedrock wells in this area generally produce yields of 10 to 25 GPM. However, the ODOT Ground Water Resource Map indicates yields between 100 and 500 GPM.

Notes:

- 1) Approximate extent of unconsolidated deposits; only yield information greater than 100 gallons per minute is shown as provided on the ODNR Groundwater Resources Map for Fairfield County.
- 2) Ohio EPA Division of Drinking and Ground Waters Active Fairfield County Public Water Supply Systems, January 2003.
- 3) Well locations that have been obtained from the Ohio Department of Natural Resources pre-1953, unlocated, and located well logs. These locations are based solely on the well log information and have not been verified in the field. Therefore, the actual number of wells used for potable purposes, if any exist, would likely be less due to wells that have been abandoned or that may be used for non-potable purposes.

Sources: US Geological Survey, US EPA, ODNR, OGRIP
Image date: April 1994



MAY 29 2003

D.D.A.G.W.
Hull & Associates, Inc.
DUBLIN, OHIO

LANCASTER EAST SIDE DEVELOPMENT CORRIDOR
REQUEST FOR URBAN SETTING DESIGNATION

**Well Record Locations Within the
Half-Mile Buffer of USD**

CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

DATE:
MAY 2003

CIL005

VIEW: LAND01A002
LAYOUT: LAND01A002
PUBLISH: LAND01A002



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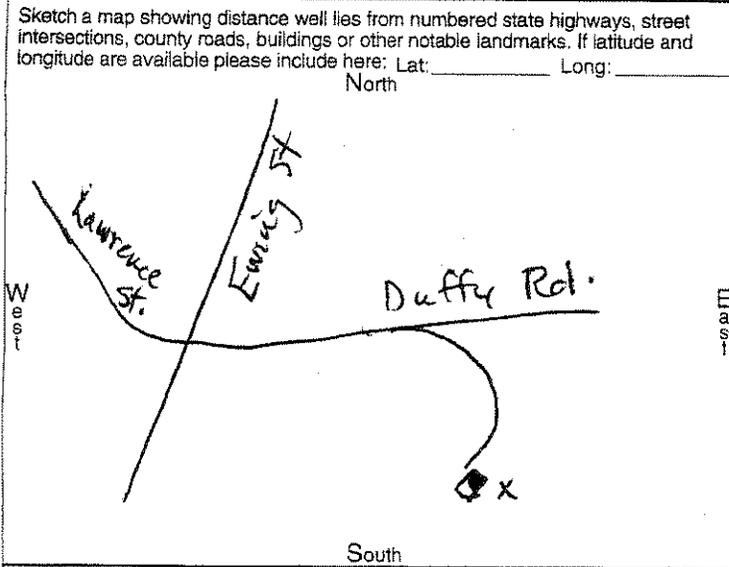
Attachment B
New ODNR Well Log

TYPE OR USE PEN
SELF TRANSCRIBING
PRESS HARD

WELL LOG AND DRILLING REPORT

Ohio Department of Natural Resources
Division of Water, 1939 Fountain Square Drive
Columbus, Ohio 43224-9971 Voice (614) 265-6739 Fax (614) 447-9503

956394

WELL LOCATION	CONSTRUCTION DETAILS
County <u>Fairfield</u> Township <u>Berne</u>	<input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Cable <input type="checkbox"/> Augered <input type="checkbox"/> Driven <input type="checkbox"/> Other _____
Owner/Builder <u>Steve Morris</u> <small>(Circle One or Both) First Last</small>	BOREHOLE/CASING (measured from ground surface)
Address of Well Location <u>1505 Duffy Rd.</u> <small>Number Street Name</small>	1 <input type="checkbox"/> Borehole Diameter <u>7 3/8</u> inches Depth <u>200</u> ft. Casing Diameter <u>5</u> in. Length <u>201</u> ft. Thickness <u>.021</u> in.
City <u>Lancaster</u> Zip Code +4 <u>43130</u>	2 <input type="checkbox"/> Borehole Diameter _____ inches Depth <u>120</u> ft. Casing Diameter _____ in. Length _____ ft. Thickness _____ in.
Permit No. <u>03-256</u> Section/Lot No. _____ <small>(Circle One or Both)</small>	Casing Height Above Ground <u>12" or</u> _____ ft.
Location of Well in State Plane coordinates, if available: Use of Well <u>Domestic</u>	Type 1 <input type="checkbox"/> Steel 1 <input type="checkbox"/> Galv. 1 <input checked="" type="checkbox"/> PVC 1 <input type="checkbox"/> _____ 2 <input type="checkbox"/> _____ 2 <input type="checkbox"/> _____ 2 <input type="checkbox"/> _____ 2 <input type="checkbox"/> Other _____
N <input type="checkbox"/> X <u>N/A</u> _____ +/- _____ ft. or m	Joints 1 <input type="checkbox"/> Threaded 1 <input type="checkbox"/> Welded 1 <input checked="" type="checkbox"/> Solvent 1 <input type="checkbox"/> _____ 2 <input type="checkbox"/> _____ 2 <input type="checkbox"/> _____ 2 <input type="checkbox"/> _____ 2 <input type="checkbox"/> Other _____
S <input type="checkbox"/> Y _____ +/- _____ ft. or m	SCREEN
Elevation of Well _____ +/- _____ ft. or m	Diameter _____ Slot Size _____ Screen Length _____ ft.
Datum Plain: <input type="checkbox"/> NAD27 <input type="checkbox"/> NAD83 Elevation Source _____	Type _____ Material _____
Source of Coordinates: <input type="checkbox"/> GPS <input type="checkbox"/> Survey <input type="checkbox"/> Other _____	Set Between _____ ft. and _____ ft.
Sketch a map showing distance well lies from numbered state highways, street intersections, county roads, buildings or other notable landmarks. If latitude and longitude are available please include here: Lat: _____ Long: _____ North	GRAVEL PACK (Filter Pack)
	Material/Size _____ Volume/Weight Used _____
	Method of Installation _____
	Depth: Placed FROM _____ ft. TO _____ ft.
	GROUT
	Material <u>Concrete</u> Volume/Weight Used <u>2 cu yds.</u>
	Method of Installation <u>P/G</u>
	Depth: Placed FROM <u>200</u> ft. TO <u>0</u> ft.
WELL TEST*	DRILLING LOG*
Pre-Pumping Static Level <u>200</u> ft. Date <u>10-9-03</u>	INDICATE DEPTH(S) AT WHICH WATER IS ENCOUNTERED. Show color, texture, hardness, and formation: sandstone, shale, limestone, gravel, clay, sand, etc.
Measured from: <input checked="" type="checkbox"/> Top of Casing <input type="checkbox"/> Ground Level <input type="checkbox"/> Other _____	From To
<input checked="" type="checkbox"/> Air <input type="checkbox"/> Bailing <input type="checkbox"/> Pumping* <input type="checkbox"/> Other _____	Brn Clay 0 14
Test Rate <u>20</u> gpm Duration of Test <u>1</u> hrs.	Brn s/s 14 75
Feet of Drawdown <u>10</u> ft. Sustainable Yield <u>20</u> gpm	Sandy Gray Shale 75 83
*(Attach a copy of the pumping test record, per section 1521.05, ORC)	Brn s/s 83 91
Is Copy Attached? <input type="checkbox"/> Yes <input type="checkbox"/> No Flowing Well? <input type="checkbox"/> Yes <input type="checkbox"/> No	Sandy Gray Shale 91 113
Quality <u>clear</u>	Gray Shale 113 209
PUMP/PITLESS	Brn. s/s 209 290
Type of pump <u>Sub. 1 1/2 hp</u> Capacity <u>10</u> gpm	Gray shale 290 308
Pump set at <u>300</u> ft. Pitless Type <u>slide</u>	White s/s 308 320
Pump installed by <u>Wartman Drilling, Inc.</u>	Water @ 230' - 290'
I hereby certify the information given is accurate and correct to the best of my knowledge.	Water @ 312' - 320'
Drilling Firm <u>WARTMAN DRILLING, INC.</u>	
Address <u>P.O. Box 360</u>	
City, State, Zip <u>Sugar Grove, OH 43155</u>	
Signed <u>Kent Wartman</u> Date _____	
ODH Registration Number <u>113</u>	
	*(If more space is needed to complete drilling log, use next consecutively numbered form.)
	Date of Well Completion <u>10-9-03</u> Total Depth of Well <u>320</u> ft.

Attachment C
City Affidavit

AFFIDAVIT

Tim Morrow, affiant, first being duly sworn, states the following: Affiant contacted the following residents of the City of Lancaster concerning connection of said residence to the City supplied water supply system as connections relate to the City's Brownfields Redevelopment Project (Former Anchor Hocking Plant # 2) and application for an Urban Setting Designation (USD). The residents contacted by phone and by letter are described as follows:

- 1) Ms. Viola (Fern) F. Milligan, 537 Ewing St., Lancaster, OH 43130, (740) 653-7025, was issued letters on 3/6/03 and 4/1/03 with supporting phone calls before and after the issuance of said letters. She has expressed interest in connection and is not opposed to changing her water source to strictly public.
- 2) Mr. Steve Miller, 523 Ewing St., Lancaster, OH 43130, (740) 653-2074, was issued letters on 3/6/03 and 4/1/03 with supporting phone calls made before and after issuance of said letters. On 5/14/03 a phone call was made which noted his phone number was changed and is now unlisted. A certified letter will now be sent restricted delivery.
- 3) Mr. Jeremy Mender, 531 Ewing St., Lancaster, OH 43130 (740) 689-0334, was issued letters on 3/6/03 and 4/1/03 with supporting phone calls before and after the issuance of said letters. He has expressed interest in connecting and is not opposed to changing his water source to strictly public.
- 4) Mr. Terry Chandler, 1011 Lawrence St., Lancaster, OH, 43130, (740) 653-6557, is in the final stages of connecting to City water service. A secure line has been run into his residence, a meter and backflow prevention are the only items left to be installed prior to service being turned on.

Tim Morrow

Affiant's printed name

[Signature]

Affiant's signature

STATE OF OHIO

COUNTY OF Fairfield



Subscribed and sworn to before me on 16th day of May, 2003,
TAMARA R. MCCOY
Notary Public, State of Ohio
My Commission Expires
Aug. 22, 2005

Tamara R. McCoy

Notary Public

Attachment D
City of Lancaster Utilities Collection
Location Maintenance Reports

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 3/5/2008 10:16:52 AM
 User Name : stormwater

Parcel Number : 0535032309 Lot :
 Occupant Account Number : 00023463 Occupant Name : TERRY JEFF CHANDLER Block :
 Location : 1011 LAWRENCE ST State : OH Zip : 43130
 City : LANCASTER Owner Name : TERRY JEFF CHANDLER

Group : GAS Book.Sequence : 48.0145

Income Center : Rate Code
 Gas 1

Meter Number : Use Method
 00750494 +

Group : WATER Book.Sequence : 48.0146

Income Center : Rate Code
 Water 12
 Well Head 2

Meter Number : Use Method
 52644591 +

Group : SANITATION Book.Sequence : 548.0003

Income Center : Rate Code
 Sanitation 2
 Landfill B

Group : STORMWATER Book.Sequence : 648.0145

Income Center : Rate Code
 Stormwater SW

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 5/28/2008 8:28:28 AM

User Name : stormwater

Parcel Number : 0535008700 Lot :
 Occupant Account Number : 00045147 Occupant Name : BETTY L THORNTON Block :
 Location : 421 S EWING ST State : OH Zip : 43130
 City : LANCASTER Owner Name : BETTY L THORNTON
 Owner Account Number : 00023725

Group : GAS Book.Sequence : 55.0213

Income Center Rate Code

Gas 1

Meter Number Use Method

2004004598 +

Group : WATER Book.Sequence : 55.0214

Income Center Rate Code

Water 11

Well Head 1

Sewer 11

Meter Number Use Method

78682529 +

Group : SANITATION Book.Sequence : 555.0022

Income Center Rate Code

Sanitation 2

Landfill B

Group : STORMWATER Book.Sequence : 655.0296

Income Center Rate Code

Stormwater SW

City of Lancaster Utilities Collection Location Maintenance Report

Date : 5/28/2008 8:27:34 AM
 User Name : stormwater

Parcel Number : 0535008800 Lot :
 Occupant Account Number : 00024805 Occupant Name : JOSEPH STRAITS Block :
 Location : 425 S EWING ST State : OH Zip : 43130
 City : LANCASTER Owner Name : JOSEPH STRAITS

Group : GAS Book.Sequence : 55.0215 Rate Code : 1
 Income Center : Gas

Meter Number : 05543870 Use Method : +

Group : WATER Book.Sequence : 55.0216 Rate Code : 11
 Income Center : Water
 Well Head : 1

Meter Number : 78548452 Use Method : +

Group : SANITATION Book.Sequence : 555.0023 Rate Code : 2
 Income Center : Sanitation
 Landfill : B

Group : STORMWATER Book.Sequence : 655.0301 Rate Code : SW
 Income Center : Stormwater

City of Lancaster Utilities Collection Location Maintenance Report

Date : 5/28/2008 8:29:16 AM
 User Name : stormwater

Parcel Number : 0535031910 Lot :
 Occupant Account Number : 00040944 Occupant Name : SYLVIA M GAREY Block :
 Location : 439 S EWING ST
 City : LANCASTER State : OH Zip : 43130
 Owner Account Number : 00040944 Owner Name : SYLVIA M GAREY

Group : GAS Book.Sequence : 55.0217 Rate Code :
 Income Center : Gas 2

Meter Number : 2006006228 Use Method : +

Group : WATER Book.Sequence : 55.0218 Rate Code :
 Income Center : Water 21
 Well Head : 1

Meter Number : 78548073 Use Method : +

Group : SANITATION Book.Sequence : 555.0014 Rate Code :
 Income Center : Sanitation 4
 Landfill : C

Group : STORMWATER Book.Sequence : 655.0206 Rate Code :
 Income Center : Stormwater SW

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 5/28/2008 8:30:00 AM

User Name : stormwater

Parcel Number : 0535031900 Lot :
 Occupant Account Number : 00024790 Occupant Name : ROBERT ALTEN INC Block :
 Location : 449 S EWING ST State : OH Zip : 43130
 City : LANCASTER Owner Name : ROBERT ALTEN INC

Group : GAS Book.Sequence : 55.0219

Income Center : Gas Rate Code : 2

Meter Number : 00740464 Use Method : +

Group : WATER Book.Sequence : 55.0220

Income Center : Water Rate Code : 21
 Well Head : 1

Meter Number : 78548487 Use Method : +

Group : SANITATION Book.Sequence : 555.0015

Income Center : Sanitation Rate Code : 12
 Landfill : J

Group : STORMWATER Book.Sequence : 655.0211

Income Center : Stormwater Rate Code : SW

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 5/28/2008 8:30:32 AM
 User Name : stormwater

Parcel Number : 0535032100 Lot :
 Occupant Account Number : 00024791 Occupant Name : JAN CHRIS ALTEN Block :
 Location : 515 S EWING ST State : OH Zip : 43130
 City : LANCASTER Owner Name : JAN CHRIS ALTEN
 Owner Account Number : 00024791

Group : GAS Book.Sequence : 55.0221 Rate Code :
 Income Center : 1
 Gas

Meter Number : Use Method :
 00620455 +

Group : WATER Book.Sequence : 55.0222 Rate Code :
 Income Center : 11
 Water : 1
 Well Head

Meter Number : Use Method :
 78548486 +

Group : SANITATION Book.Sequence : 555.0016 Rate Code :
 Income Center : 2
 Sanitation : B
 Landfill

Group : STORMWATER Book.Sequence : 655.0216 Rate Code :
 Income Center : SW
 Stormwater

City of Lancaster Utilities Collection Location Maintenance Report

Date : 3/5/2008 10:13:51 AM
 User Name : stormwater

Parcel Number : 0535032000 Lot : JEANNIE LYNN NAND Block :
 Occupant Account Number : 00016923 Occupant Name :
 Location : 523 SEWING ST State : OH Zip : 43130
 City : LANCASTER Owner Name : MARK J BROBECK
 Owner Account Number : 00036981

Group : GAS Book.Sequence : 55.0220

Income Center : Rate Code
 Gas 1

Meter Number : Use Method
 2003004066 +

Group : WATER Book.Sequence : 55.0221

Income Center : Rate Code
 Water 12
 Well Head 2

Meter Number : Use Method
 55986457 +

Group : SANITATION Book.Sequence : 555.9001

Income Center : Rate Code
 Sanitation 2
 Landfill B

Group : STORMWATER Book.Sequence : 655.9001

Income Center : Rate Code
 Stormwater SW

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 3/5/2008 10:16:04 AM
 User Name : stormwater

Parcel Number : 0535032300
 Occupant Account Number : 00024794
 Location : 531 S EWING ST
 City : LANCASTER
 Owner Account Number : 00024794
 Lot :
 Occupant Name : JEREMY R MENDER
 Block :
 State : OH
 Zip : 43130
 Owner Name : JEREMY R MENDER

Group : GAS
 Income Center :
 Gas
 Book.Sequence : 55.0231
 Rate Code : 1

Meter Number :
 00981805
 Use Method : +

Group : SANITATION
 Income Center :
 Sanitation
 Landfill
 Book.Sequence : 555.0018
 Rate Code : 2
 B

Group : STORMWATER
 Income Center :
 Stormwater
 Book.Sequence : 655.0231
 Rate Code : SW

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 5/28/2008 8:31:23 AM
 User Name : stormwater
 Parcel Number : 0535031800
 Occupant Account Number : 00024797
 Location : 545 S EWING ST
 City : LANCASTER
 Owner Account Number : 00024797
 Lot :
 Occupant Name : WAYNE WILKINS
 State : OH
 Owner Name : WAYNE WILKINS
 Block :
 Zip : 43130
 Book.Sequence : 55.0246
 Rate Code : 1
 Group : GAS
 Income Center :

Meter Number : 2007007616
 Use Method : +

Group : WATER
 Income Center :
 Water :
 Well Head :
 Sewer :
 Book.Sequence : 55.0247
 Rate Code : 11
 Rate Code : 1
 Rate Code : 11

Meter Number : 78526809
 Use Method : +

Group : SANITATION
 Income Center :
 Sanitation :
 Landfill :
 Book.Sequence : 555.0884
 Rate Code : 2
 Rate Code : B

Group : STORMWATER
 Income Center :
 Stormwater :
 Book.Sequence : 655.0246
 Rate Code : SW

City of Lancaster Utilities Collection

Location Maintenance Report

Date : 3/5/2008 10:15:11 AM

User Name : stormwater

Parcel Number : 0535032200 Lot : VIOLA F MILLIGAN Block :
 Occupant Account Number : 00024795 Occupant Name : VIOLA F MILLIGAN Zip : 43130
 Location : 537 S EWING ST State : OH
 City : LANCASTER Owner Name : VIOLA F MILLIGAN

Group : GAS Book.Sequence : 55.0236

Income Center Rate Code
 Gas 1

Meter Number Use Method
 00961120 +

Group : WATER Book.Sequence : 55.0237

Income Center Rate Code
 Water 12
 Well Head 2

Meter Number Use Method
 54712191 +

Group : SANITATION Book.Sequence : 555.0236

Income Center Rate Code
 Sanitation 1
 Landfill A

Group : STORMWATER Book.Sequence : 655.0236

Income Center Rate Code
 Stormwater SW

City of Lancaster Utilities Collection Location Maintenance Report

Date : 5/28/2008 8:31:00 AM
 User Name : stormwater

Parcel Number : 0535031700 Lot :
 Occupant Account Number : 00024800 Occupant Name : CATHRINE A & KENNETH C HURSEY Block :
 Location : 555 S EWING ST State : OH Zip : 43130
 City : LANCASTER Owner Name : CATHRINE A & KENNETH C HURSEY
 Owner Account Number : 00024800

Group : WATER Book.Sequence : 55.0262 Rate Code
 Income Center
 Water 11
 Well Head 1

Meter Number Use Method
 78645493 +

Group : SANITATION Book.Sequence : 555.0021 Rate Code
 Income Center
 Sanitation 2
 Landfill B

Group : STORMWATER Book.Sequence : 655.0262 Rate Code
 Income Center
 Stormwater SW

Attachment E
Urban Setting Designation Questionnaire
Property Located at 537 S. Ewing Street

City of Lancaster
Clean Ohio Revitalization Fund Grant
Urban Setting Designation Questionnaire

RECEIVED
CITY OF LANCASTER
SEP 26 2008
ENGINEERING DEPARTMENT
FILE No.

Property Located at 537 S. Ewing Street

1. Is the residence currently connected to the Lancaster Municipal Water supply for potable purposes (cooking, swimming, bathing, drinking) and at what time was the residence connected to the City service? some time 2004, I forgot

the date you should have that information

2. Is there an existing groundwater supply well located on your property? Please provide details if possible. NO

3. If yes, is the well still operational? (still have electrical service & discharge piping). Please provide details if possible. NO

4. Is the well currently being used for potable purposes? (cooking, swimming, bathing, drinking). NO

5. Is the well being used for non-potable purposes? (Irrigation, watering, etc.)

NO

6. If your well is not being used, was the well properly abandoned? (annular space grouted and casing removed). Please provide details if possible.

Yes, water department took my pressure tank & later came out & pulled the pump & every thing out - took everything away

7. Is the well still located on the property but non operational? Please provide details if possible. NO

Property Owner Signature

Viola J. Milligan

Date

Sept 24, 2008

Attachment F
April 28, 2003

City Resolution No. 44-03

And

Codified Ordinances of Lancaster
Part Nine – Street, Utilities and Public Services Code
Chapter 910, Potable Water Supply Well Code

42-03

RESOLUTION NO 44-03

A RESOLUTION EXPRESSING SUPPORT OF LANCASTER CITY COUNCIL FOR OBTAINING AN URBAN SETTING DESIGNATION FOR GROUND WATER AS PROVIDED UNDER OHIO'S VOLUNTARY ACTION PROGRAM

WHEREAS, the City of Lancaster recognizes the importance of developing its unutilized and underutilized properties to help restore economic vitality to certain areas of the City; and

WHEREAS, the Ohio Voluntary Action Program provides for an Urban Setting Designation for ground water that is located in urban areas, but which is not used for potable sources, and will not likely be used in the future as a potable source. The designation, which was established by Ohio EPA for cities and urban townships, minimizes unnecessary investigation of groundwater in these areas, and thus facilitates the redevelopment of these properties; and

WHEREAS, the City of Lancaster is requesting an Urban Setting Designation for the Lancaster East Side Development Area shown in Exhibit A; and

WHEREAS, a successful Urban Setting Designation does not allow ground water to be contaminated in the future by requiring the public and business community to continue to follow strict environmental regulations for protecting ground water sources; and

WHEREAS, limiting permits for use of wells as a source of drinking water greatly facilitates these environmental considerations;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, OHIO

SECTION 1. That the Council of the City of Lancaster recognizes the importance of Ohio's Voluntary Action Program and the Urban Setting Designation to the region, as currently proposed by the City of Lancaster, to enhance development of the proposed Lancaster East Side Development Area shown in Exhibit A.

SECTION 2. That the Council of the City of Lancaster finds that approval of the application requesting an Urban Setting Designation for urban ground water, to be submitted to Ohio EPA, will maintain standards protective of public health and the environment while minimizing unnecessary investigation activities and costs.

SECTION 3. That the approval of an Urban Setting Designation, does not, under any authority, release property owners from current environmental laws and regulations designed to protect ground water and other environmental resources.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 4/28/03 after 3rd reading. Vote: Yeas 8 Nays 0

Approved: 4/30/03

Attest: [Signature]

[Signature] President of Council

Offered by: [Signature] Mayor

Second by: [Signature] Requested by Planning, Zoning and Economic Development Committee

CODIFIED ORDINANCES OF LANCASTER

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE ONE - Streets and Sidewalks

- Chap. 901. Streets.
- Chap. 903. Sidewalks.
- Chap. 905. Curbs and Driveways.

TITLE THREE - Public Utilities

- Chap. 910. Potable Water Supply Well Code.
- Chap. 911. Water.
- Chap. 912. Use of Public and Private Sewers.
- Chap. 913. Sewerage and Drainage Generally.
- Chap. 914. Privy Vaults.
- Chap. 915. Sewer Rates.
- Chap. 916. Wastewater Pretreatment.
- Chap. 917. Natural Gas Service.
- Chap. 918. Storm Water Utility Program.
- Chap. 919. Storm Water Sediment and Soil Erosion Protection.
- Chap. 920. Electricity.
- Chap. 921. Utilities Installation in Developments.

TITLE FIVE - Other Public Services.

- Chap. 931. Parks.
- Chap. 933. Cemeteries.
- Chap. 935. Lancaster-Fairfield County Joint Hospital.
- Chap. 937. Waste Removal.
- Chap. 939. Trees.

910.02 DEFINITIONS.

(a) "Potable water" means any water that is used for drinking, personal or culinary use.

(b) "City" means property located within the corporation limits of the City of Lancaster. (Ord. 11-03. Passed 4-28-03.)

910.03 WATER SUPPLIES.

All private potable water systems supplied by private wells located within the City, or provided water to property within the City are hereby required to connect to the municipal water supply system if a City supplied water main line is located within 100 feet of the property line and said well shall either be: abandoned or disconnected from the residence or structure and provided with a new meter and high hazard backflow preventer, pursuant to the Administrative Regulator of the Water Department.
(Ord. 11-03. Passed 4-28-03.)

910.04 DUTY OR STANDARD; NOTICE; ORDER.

(a) Any person or entity that installs, constructs, operates, uses, maintains or modifies a potable water supply well within the City of Lancaster and that is connected to the City water supply shall comply and abide by this chapter within 120 days of issuance.

(b) Any person or entity that violates or fails to comply with this chapter or the provisions of this chapter shall be given written notice of violation or the failure to comply and an order to correct within a specified time period.
(Ord. 11-03. Passed 4-28-03.)

910.99 PENALTY.

Any person or entity that installs, constructs, operates, uses, maintains or modifies a potable water supply well within the City of Lancaster or who is connected to the City water supply and fails or refuses to comply with this chapter is guilty of a misdemeanor of the first degree. Each and every day the violation or noncompliance is found to exist shall be a separate offense. (Ord. 11-03. Passed 4-28-03.)

Attachment G
October 17, 2005

Ordinance to Repeal, Section 910

TEMPORARY ORDINANCE NO. 67-05

PERMANENT ORDINANCE NO. 66-05

AN ORDINANCE TO REPEAL, SECTION 910 OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER ENTITLED "POTABLE WATER SUPPLY WELL CODE," AND DECLARE AN EMERGENCY

WHEREAS, it is the desire of the Lancaster Municipal Water Department and City Administration to change the policies of the Water Department concerning mandatory connection to the City water supply. A mandatory connection is still required within the "Urban Setting Designation" areas pursuant to Permanent Resolution 43-03;

BE IT ORDAINED by the Council of the City of Lancaster, State of Ohio

SECTION 1. That Section 910, of the Codified Ordinances of the City of Lancaster, Entitled "Potable Water Supply Well Code," is hereby repealed in its entirety.

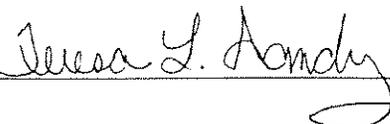
SECTION 2. That a real and present emergency exists as the maintenance of the Lancaster Municipal water supply is critical to the preservation of public health and safety, and that this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 10/17/2005 after 1st reading. Vote: Yeas 9 Nays 0

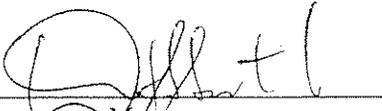
Approved: 10/17/2005



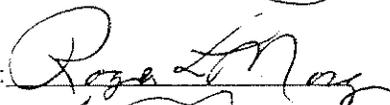
President of Council

Attest: 

Teresa L. Sandy



Mayor

Offered by: 

Second by: 

Requested by Water/Water Pollution Committee

I, Teresa L. Sandy, Clerk of Council do hereby certify that on _____, 2005 and _____, 2005 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

Attachment H
November 10, 2008

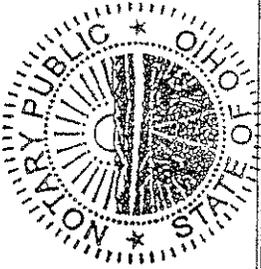
Ordinance to Repeal Existing Permanent
Ordinance 66-05

And

Ordinance to Adopt Chapter 910,
Lancaster Potable Water Supply Well Code

I, Teresa Lee Sandy, Notary and Clerk of Council, hereby certify this to be a true and correct copy of the original legislation passed by Lancaster City Council at their Meeting held on Monday, November 10, 2008.

Witness my signature and seal this 11th day of November 2008.
Teresa Lee Sandy
Notary Public & Clerk of Council



TERESA LEE SANDY
Notary Public, State of Ohio
My Commission Expires
10-8-2009

TEMPORARY ORDINANCE NO. 49-08

PERMANENT ORDINANCE NO. 48-08

AN ORDINANCE TO REPEAL EXISTING PERMANENT ORDINANCE 66-05, IN ITS ENTIRETY

WHEREAS, the Urban Setting Designation Area mandates connection to the City Municipal Water System; and

WHEREAS, the City is reenacting Chapter 910 Potable Water to require connection in the Urban Setting District Area;

BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio

SECTION 1. That Permanent Ordinance 66-05 is repealed in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 11/10/2008 after 3rd reading. Vote: Yeas 9 Nays 0

Approved: 11/10/2008

Kenneth J. Coker
President of Council

Clerk: Teresa Lee Sandy

Joseph H. Smith
Mayor

Offered by: Harry E. Hester

Second by: Tom Stolt

Requested by Law Committee

I, Teresa L. Sandy, Clerk of Council do hereby certify that on _____, 2008 and _____, 2008 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

TERESA LEE SANDY
Notary Public, State of Ohio
My Commission Expires
10-8-2007



I, Teresa Lee Sandy, Notary and Clerk of Council, hereby certify this to be a true and correct copy of the original legislation passed by Lancaster City Council at their Meeting held on Monday, November 10, 2008

Witness my signature and seal this 11th day of November, 2008
Teresa Lee Sandy
Notary Public & Clerk of Council

TEMPORARY ORDINANCE NO. 48-08

PERMANENT ORDINANCE NO. 47-08

AN ORDINANCE TO ADOPT CHAPTER 910, LANCASTER POTABLE WATER SUPPLY WELL CODE

BE IT ORDAINED by the Council of the City of Lancaster, State of Ohio

SECTION 1.

910.01 TITLE; SCOPE.

- (a) This chapter shall be known and cited as the Lancaster Potable Water Supply Well Code.
- (b) This chapter restricts the installation of any new potable water supply well within the incorporated limits of the City, at (i) any location within the "Urban Setting Designation Area" defined in this Chapter and recognized by Resolution 44-03.

(c) This Chapter requires all potable water systems within the Urban Setting Designation Area to connect to the City Municipal Water System. Preexisting wells within the Urban Setting Designation Area may not be used for potable purposes and the installation of any potable use wells is prohibited.

910.02 DEFINITIONS.

- (a) "Potable water" means any water that is used for drinking, personal or culinary use.
- (b) "City" means property located within the corporation limits of the City of Lancaster.
- (c) "Urban Setting Designation Area" means the area of the City within a one-half mile radius of the designated industrial property in the Lancaster East Side Development Corridor. A figure of the area I entitled "Urban Setting Designation 1/2 Mile Boundary" which is incorporated by reference herein and available from the City as a public record.

910.03 WATER SUPPLIES.

- (a) All potable water systems supplied by wells located within the Urban Setting Designation Area are hereby required to connect to the City Municipal Water System and receive from the City a new meter. Any preexisting wells shall either be abandoned or disconnected from the potable water system. The wells may be used for non-potable purposes, as determined by the Administrative Regulator of the Water Department.
- (b) The installation or use of potable use wells in the Urban Setting Designation Area is prohibited. This prohibition does not extend to non-potable use wells that are installed and maintained pursuant to applicable law.

910.04 DUTY OR STANDARD; NOTICE; ORDER.

- (a) Any person or entity that installs, constructs, operates, maintains or modifies a potable water supply well within the City of Lancaster and that is connected to the City Municipal Water System shall comply and abide by this Chapter within 120 days of issuance.

(b) Any person or entity that violates or fails to comply with this Chapter or the provisions of this Chapter shall be given written notice of violation or the failure to comply and an order to correct within a specified time period.

910.99 PENALTY.

Any person or entity that installs, constructs, operates, maintains or modifies a potable water supply well within the City of Lancaster or who is connected to the City Municipal Water System and fails or refuses to comply with this Chapter is guilty of a misdemeanor of the first degree. Each and every day the violation or noncompliance is found to exist shall be a separate offense.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

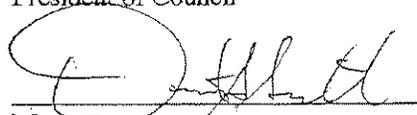
Passed: 11/10/2008 after 3rd reading. Vote: Yeas 9 Nays 0

Approved: 11/10/2008



President of Council

Clerk: Teresa Lee Sandy



Mayor

Offered by: Harry E. Hill

Second by: Tom Stif

Requested by Law Committee

I, Teresa L. Sandy, Clerk of Council do hereby certify that on _____, 2008 and _____, 2008 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council