



**Environmental
Protection Agency**

**John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director**

October 17, 2011

RE: Morrow County
Apple Pie Inn
Non-Community, Transient
PWSID#: OH5941412

Jane Cobern
7398 State Route 42
Mt. Gilead, OH 43338

Hand Delivery

Dear Owner:

Apple Pie Inn public water system (PWS) has violated Ohio's safe drinking water law. Specifically, the PWS failed to monitor for total coliform bacteria and nitrate; exceeded the maximum contaminant level (MCL) for total coliform bacteria; failed to issue required public notifications; failed to obtain a license to operate (LTO), and failed to respond to significant deficiencies identified in a sanitary survey.

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

To resolve your drinking water violations and avoid possible legal action and civil penalties, it is agreed that Apple Pie Inn will:

1. Comply with total coliform bacteria monitoring and maximum contaminant level (MCL) requirements, in accordance with OAC Rules 3745-81-21 and 3745-81-14, respectively. Specifically, monitor for total coliform bacteria with a minimum of one routine sample per quarter from the distribution system and perform any required repeat monitoring.
2. Comply with the monitoring and reporting requirements in accordance with the 2011 and future contaminant monitoring schedules.
3. Within thirty (30) days of the effective date of this agreement, contract with a certified laboratory to collect and analyze the required samples for twelve (12) months to help meet regulatory requirements and establish a routine of compliance. Within thirty (30) days of the effective date of this agreement, submit a copy of the completed contract to Ohio Environmental Protection Agency (EPA), Division of Drinking and Ground Waters, P.O. Box 1049, Columbus, Ohio 43216-1049, Attn: Kenneth Baughman.
4. Within fourteen (14) days of the effective date of this agreement, post public notice for all past monitoring and MCL violations in accordance with OAC rule 3745-81-32. Posting must remain up for no less than seven (7) days. Send a copy of the public notice and completed verification form to the address listed in item #3.
5. Within thirty (30) days of the effective date of this agreement, address the following sanitary survey deficiencies:

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

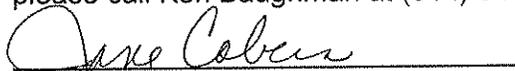
- a. Install a well cap with a downturned and screened vent that meets PAS-97;
 - b. Install an operable pressure gauge;
 - c. Submit a copy of a completed sample siting plan; and
 - d. Use only NSF/ANSI certified salt in the softener.
6. Respond to the Director in writing, within thirty (30) days following receipt of a sanitary survey letter, indicating how and on what schedule the PWS will address any significant deficiencies noted in the survey, in accordance with OAC rule 3745-81-60(D).
7. Within sixty (60) days of the effective date of this agreement, initiate an investigation of the PWS well as indicated below. Please consult with Mark Boden in Ohio EPA's Central District Office prior to undertaking these activities.
- a. Hire a well driller registered with the Ohio Department of Health to inspect the well with a down-hole camera to ensure the integrity of the well casing;
 - b. Make modifications to the well as directed by this office based on the findings of the down-hole investigation;
 - c. Disinfect the well and distribution system, per OAC 3745-9-08 (attached);
 - d. Take a set of four total coliform samples labeled "special purpose"; then,
 - e. Should corrective actions fail to resolve any well problems discovered during the down-hole investigation, you will be required to take further action, which may include installing treatment or obtaining an alternative source of water.
8. Apply for a license to operate a public water system each calendar year, in accordance with OAC Rule 3745-84-02.
9. Within thirty (30) days of this agreement, submit verification to Ohio EPA, at the address listed in item #3, that payment or arrangement of a payment plan has been made with the Attorney General's Office, Collections Enforcement Section, 150 E. Gay Street, 21st Floor, Columbus, Ohio 43215, for the unpaid PWS License to Operate fees.

Sincerely,



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

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



Signature

JANE COBERN

Printed Name

10-17-11

Date

Owner

Title