OhioEPA

State of Ohio Environmental Protection Agency

STREET ADDRESS:

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

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

MAILING ADDRESS:

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

May 30, 2007

RE: Franklin County
Darbydale Elementary
Nontransient Noncommunity
Water System
PWSID#: 2530812

Mark Waller, Property Service Supervisor
Southwestern City Schools
3805 Marlane Drive
Grove City, OH 43123

Dear Mr. Waller:

Hand Delivery

The Darbydale Elementary School (Darbydale) public water system has violated Ohio's safe drinking water laws. Specifically, Darbydale has exceeded the arsenic maximum contaminant level (MCL), and failed to submit detail plans for approval prior to substantially altering their public water system. In accordance with Ohio Administrative Code (OAC) Rule 3745-81-11(B) the MCL for arsenic is 0.010 mg/L. Currently, the running annual average for Darbydale's public water system, calculated in accordance with OAC Rule 3745-81-23(H), is 0.017 mg/L. Below is an agreed upon schedule for Darbydale's PWS to meet the requirements of the arsenic MCL.

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:

1. Monitor for arsenic with one sample per calendar quarter in accordance with Ohio Administrative Code (OAC) Rule 3745-81-23(E)(2)(a).

2. Make no further substantial changes to your public water system prior to obtaining detail plan approval from Ohio EPA, in accordance with OAC Chapter 3745-91.

3. Within thirty (30) days, address each of Ohio EPA's comments in the April 11, 2007 comment letter to your submitted pilot study protocol.

4. By June 1, 2007, install iron removal filters, in accordance with your approved detail plans, prior to initiating the remaining hours of required piloting on the adsorptive media unit(s).

5. Within thirty (30) days of approval, begin your pilot study, in accordance with the approved pilot study protocol.

6. By September 15, 2007, submit your pilot study report, submit a report in which the data collected, results of the data analysis, and the conclusions and recommendations are presented in an acceptable format to Ohio EPA, for review and approval. Data should also be submitted in an agreed upon electronic format.

7. By November 1, 2007, submit detail plans for approval to address arsenic in the drinking water.

8. By December 31, 2007, complete construction of your arsenic removal treatment system and initiate operation of the arsenic removal treatment, in accordance with Director's plan approval.

9. No later than twelve (12) months after completion of construction, Darbydale Elementary will be in compliance with the MCL for arsenic in accordance with OAC Rule 3745-81-11(B) as calculated by OAC Rule 3745-81-23(H).

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 Marco Deshaies at Ohio EPA, Division of Drinking and Ground Waters, 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 Marco Deshaies at (614) 644-2761.

Mark Waller, Property Service Supervisor
Southwestern City Schools

5/30/07
Date