



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

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

OHIO E.P.A.

DEC 28 2012

ENTERED DIRECTOR'S JOURNAL

*Dir. Lussler* Date: 12-28-12

December 28, 2012

Barbara Fry  
Hop Bar  
213 Lyle Ave  
Springfield, OH 45505

Effective Date: December 28, 2012

**Certified Mail**  
9171082133393715017955

Re: 2013 Conditioned License to Operate a Public Water System

Dear Mrs. Fry:

Enclosed is the 2013 license to operate (LTO) a public water system (PWS) for Hop Bar (PWS ID# OH1237512). In accordance with Ohio Revised Code (ORC) § 6109.21 and Ohio Administrative Code (OAC) Rule 3745-84-06, the LTO is hereby issued with conditions due to violations of the drinking water regulations at the PWS. In accordance with OAC Rule 3745-84-04, PWSs are required to display the yellow, conditioned license where it is clearly visible to the general public.

The LTO is conditioned through January 30, 2014, with the following actions:

1. All PWS LTO renewal requirements shall be complied with, in accordance with OAC Chapter 3745-84.
2. All current and subsequent chemical monitoring schedules shall be complied with, in accordance with OAC Chapter 3745-81.
3. Total coliform bacteria monitoring requirements, including both routine and repeat sampling, shall be complied with, in accordance with OAC Rule 3745-81-21 and OAC Rule 3745-81-42.
4. Within sixty (60) days of the effective date of this letter, a public notification shall be issued and copies of the required public notice and verification form submitted to the Ohio EPA, DDAGW-CO, P.O. Box 1049, Columbus, Ohio 43216-1049, Attn: Katie Hernandez, in accordance with OAC Rule 3745-81-32, for:
  - a. failing to collect routine total coliform samples during the October 1 through December 31, 2007, and April 1 through June 30, 2009 monitoring periods.

If the requirements of the conditioned LTO are fulfilled, the PWS may be eligible for a green, unconditioned license in the next renewal period. Should the PWS fail to comply with these

conditions, the LTO may be suspended or revoked. A PWS with a suspended LTO may only operate as authorized by the Director, and a PWS with a revoked LTO is prohibited from producing water for human consumption. Human consumption is defined in OAC Rule 3745-81-01 to include, but is not limited to, drinking, food preparation, dishwashing, and hand washing. Additionally, owners and/or operators who fail to comply with Ohio's safe drinking water laws are subject to civil penalties of up to \$25,000.00 per day per violation under ORC § 6109.33. Operating with a suspended or revoked LTO may jeopardize other licenses you may hold, such as those for food service or liquor.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC § 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, OH 43215

If you have any questions regarding this action, please contact Katie Hernandez at (614) 644-2752.

Sincerely,



Scott J. Nally, Director  
Ohio Environmental Protection Agency

cc: Clark County Combined Health District  
Elaine Moore, Ohio Department of Commerce, Division of Liquor Control

ec: Holly Kaloz, Manager, DDAGW-CO  
Michael Perriguet, Supervisor, DDAGW-CO  
Jeff Davidson, Manager, DDAGW-SWDO  
Jeff Stark, DOCC, DDAGW-SWDO  
Kimberly Rhoads, Ohio EPA-Legal