



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
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

March 29, 2006

David Lelko, City Manager
The City of Chardon
111 Water Street
Chardon, Ohio 44024

RE: Geauga County
City of Chardon
Community Water System
PWSID#: 2800412

Certified Mail

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Dear Mr. Lelko:

The City of Chardon's (Chardon's) public water system (PWS) will most likely violate Ohio's safe drinking water law. In accordance with Ohio Administrative Code (OAC) Rule 3745-81-11(B), the new running annual average maximum contaminant level (MCL) for arsenic is 10 µg/L. Chardon collected arsenic samples on July 10, 2002 at the level of 11.4 µg/L and on July 7, 2005 at the level of 10.3 µg/L. Currently, Chardon is not yet in violation of OAC Rule 3745-81-11(B), which became effective on January 1, 2006, but will mostly likely exceed the MCL for arsenic within the next few years. Below is an agreed upon schedule for Chardon'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.

In anticipation of your drinking water violations and to prevent 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) Comply with the monitoring and reporting requirements in accordance with the 2006 chemical monitoring schedule.
- 3) By June 1, 2006, submit detail plans to address arsenic in the drinking water.
- 4) Within thirty (30) days of notification, address any comments or deficiencies noted by Ohio EPA on any plan or other documentation submitted by Chardon.
- 5) By November 1, 2006, advertise for bids for the arsenic treatment project.
- 6) By December 15, 2006, open bids for the arsenic treatment project.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

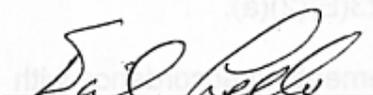
- 7) By March 15, 2007, award construction contract for arsenic treatment project.
- 8) By April 15, 2007, commence construction in accordance with Director's plan approval.
- 9) By July 31, 2008, complete construction to initiate operation in accordance with Director's plan approval.
- 10) No later than twelve (12) months after completion of construction, Chardon will be in compliance with the running annual average MCL for arsenic in accordance with OAC Rule 3745-81-11(B)

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 Emily Cushman 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 Emily Cushman at (614) 644-2752.



David Lelko, City Manager
The City of Chardon

April 12, 2006
Date