



Environmental Protection Agency

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

OHIO E.P.A.

MAY 12 2011

ENTERED DIRECTOR'S JOURNAL

Triad Investment Corporation
984 Du Bois Road
Carlisle, Ohio 45005
Attn: Mike Miller

CERTIFIED MAIL
9171082133393715012264

Effective Date: MAY 12 2011

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.

RE: Miller's Corner Public Water System
PWS ID: #OH8361112

By: [Signature] Date: 5-12-11

Dear Mr. Miller:

Pursuant to ORC Section 6109.21(B)(3) and Ohio Administrative Code (OAC) Rule 3745-84-06, the license to operate (LTO) a public water system (PWS) at Miller's Corner is hereby denied for one (1) year. Therefore, the operation of the PWS at Miller's Corner is prohibited for one (1) year from the effective date of this action listed above. This final action was previously issued as a proposed action on March 23, 2011. As no request for adjudication was received by the Ohio Environmental Protection Agency (Ohio EPA) relative to the proposed action, a final action is being issued.

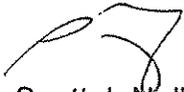
Ohio EPA received a 2011 LTO application and fee for the PWS at Miller's Corner. I find that the PWS at Miller's Corner has not been operated in substantial compliance with ORC Chapter 6109 and the rules adopted there under. Miller's Corner has failed to monitor total coliform and nitrate; failed to issue public notification; failed to submit applications and pay the LTO fees for 2009, 2010 and 2011 in a timely manner; and, failed to pay the administrative penalty assessed in the October 18, 2010 Director's Findings and Orders. Miller's Corner has previously received enforcement actions in the form of a Bilateral Compliance Agreement (October 13, 2009) and Director's Final Findings and Orders (Effective Date: October 18, 2010). Miller's Corner has failed to comply with the requirements of both of these previous enforcement actions.

During the one year LTO denial period, pursuant to OAC Rule 3745-84-04, non-community PWSs shall display a red sign issued by Ohio EPA, indicating absence of an LTO so as to be clearly visible to the general public and to any person entering the facility. Per OAC Rule 3745-84-06, no person shall operate a PWS with an expired, denied or revoked LTO. A PWS with an expired, denied or revoked LTO is prohibited from producing water for human consumption as defined in OAC Rule 3745-81-01. This denial may also jeopardize the ability to obtain licenses from other agencies.

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 Section 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 "Treasurer, State of Ohio," 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
309 South Fourth Street, Room 222
Columbus, OH 43215

Sincerely,



Scott J. Nally, Director
Ohio Environmental Protection Agency

- cc: Duane Stansbury, R.S. M.P.H., Health Commissioner, Warren County Combined Health District
Gary E. Jones, Chief, Investigations & Compliance, Ohio Dept of Liquor Control
- ec: Beth Messer, Manager, DDAGW-CO
Nick Haritos, Fiscal Officer, DDAGW-CO
David Secor, DOCC, DDAGW-SWDO
Kimberly Rhoads, OEPA-Legal
Jeff Davidson, Unit Supervisor, DDAGW-SWDO
Julie Gillenwater, DDAGW-CO