



10/27/2025

Attn: Carroll County Board of Commissioners  
119 South Lisbon St., Suite 201  
Carrollton OH 44165

RE: DFFO  
NPDES  
Carroll County  
8DU01650

Carroll County Board of Commissioners;

Transmitted herewith is one copy of the Director's Final Findings & Orders in the referenced matter.

Sincerely,

Tyler Liston, Manager  
Permits Processing  
Division of Surface Water

TL/jj

Enclosure

ec: L. Reeder, DSW  
R. DeMuth, DSW  
L. Kaldy, DSW  
B. Palmer, DSW  
J. Martin, DSW  
Fiscal  
M. McCarron, PIC  
H. Griesmer, PIC  
J. Lee, PIC  
B. Fischbein, Legal  
R. Laake, DEFA  
Journal Room  
File



1. Respondent is the Carroll County Board of Commissioners located in Carroll County, Ohio.
2. On June 18, 2025, the Carroll County General Health District submitted a complaint pursuant to ORC § 6117.34, alleging unsanitary conditions in the Stony Lake Residential Community. The complaint alleges that the 10 properties within the community have unpermitted dry wells that are causing contamination of the aquifer that provides drinking water to the community, and that 34 properties have water well samples that exceed safe drinking water standards.
3. Pursuant to ORC § 6117.34, whenever the board of health of a general health district makes a complaint in writing to Ohio EPA that unsanitary conditions exist in any county, the Director forthwith shall inquire into and investigate the conditions complained of in said complaint.
4. The Stony Lake Residential Community includes homes that are served by inadequate or failing individual unpermitted dry wells that discharge untreated or partially treated sewage to groundwater in the Stony Lake Area. Groundwater is defined as “waters of the state” pursuant to ORC § 6111.01.
5. Residential lots are small and requiring the replacement or repair of existing on-site sewage disposal systems is an unacceptable solution to remedy the unsanitary conditions.
6. Compliance with ORC Chapter 6111 is not contingent upon the availability or receipt of financial assistance.
7. The following Orders do not constitute authorization or approval of the construction of any physical structure or facilities, or the modification of any existing treatment works or sewer system. Any such construction or modification is subject to the permit to install and plan approval requirements of ORC §§ 6111.44 and 6111.45 and OAC Rule 3745-42.
8. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Orders and to evidence relating to conditions calculated to result from compliance with these Orders, and its relation to the benefits to the people of the State to be derived from such compliance in accomplishing the purposes of ORC Chapter 6111.

**V. ORDERS**

1. As soon as possible, but not later than twelve (12) months from the effective date of these Orders, Respondent shall submit to Ohio EPA for acceptance a general permit for sewage improvements or other methods of abating pollution and correcting the unsanitary conditions, pursuant to ORC Chapter 6111. The general permit plan shall address, at a minimum, the following items:
  - a. Alternatives for treating sewage from the affected areas including, but not limited to, the following options:
    - i. No discharge to surface waters by connecting to existing sewers and directing sanitary sewage flows to the nearest regional wastewater treatment plant;
    - ii. Construction of a wastewater treatment plant with a National Pollutant Discharge Elimination System ("NPDES") permit to regulate wastewater discharges.
  - b. Proposed locations of collection and treatment facilities;
  - c. Cost estimates for the required improvements and cost effectiveness analysis of the alternatives based on total present worth. The cost effectiveness analysis must include the total construction costs of each alternative as well as operation, maintenance, and replacement costs.
  - d. The financial mechanisms to be used to fund the required improvements, as well as the operation, maintenance, and replacement costs;
  - e. An implementation schedule for submitting a complete permit to install ("PTI") application and approval detail plans, awarding construction bids, starting and completing construction, and attaining compliance with ORC Chapter 6111 and the administrative rules promulgated thereunder.
2. Upon Ohio EPA's acceptance of the general plan, Respondent shall implement the general plan in accordance with the implementation schedule required by Order 1.e. Implementation of the schedule, including completion of construction and compliance with ORC Chapter 6111 shall be achieved as soon as possible, but no longer than two (2) years from the date of Ohio EPA's acceptance of the general plan.

#### **VI. TERMINATION**

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division of Surface Water acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of the Respondent. For purposes of these Orders, a responsible official is defined in OAC Rule 3745-33-03(F).

#### **VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to activities occurring in the Stony Lake Area.

#### **VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

#### **IX. MODIFICATIONS**

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

**X. NOTICE**

Unless otherwise provided, all documents required to be submitted by Respondent shall be addressed to:

Ohio Environmental Protection Agency  
Division of Surface Water  
Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087  
Attn: Enforcement Supervisor

**XI. RESERVATION OF RIGHTS**

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

**XII. WAIVER**

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

**XIII. EFFECTIVE DATE**

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

**XIV. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

**IT IS SO ORDERED AND AGREED:**

**Ohio Environmental Protection Agency**

E-SIGNED by John Logue  
on 2025-10-16 19:38:35 GMT

\_\_\_\_\_  
John Logue, Director

\_\_\_\_\_  
Date

**IT IS SO AGREED:**

**Carroll County Commissioners**

*Donald E. Leggett II*  
\_\_\_\_\_  
Signature

*10-9-25*  
\_\_\_\_\_  
Date

*Donald E. Leggett II*  
\_\_\_\_\_  
Printed or Typed Name

*President*  
\_\_\_\_\_  
Title

Chris R. Madzi  
Signature

10-9-25  
Date

Christopher R. Madranski  
Printed or Typed Name

Vice President  
Title

Rob E. Wirkner  
Signature

10-9-25  
Date

Robert E. Wirkner  
Printed or Typed Name

Commissioner  
Title