



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

Effective Date: November 27, 2012

Funsho Alatishe
22 Versailles Dr Apt G
Cincinnati, OH 45240

91 7108 2133 3937 1501 7153

Re: Action for Suspension of Class 2 Water Supply Certificate

Dear Mr. Alatishe:

On September 5, 2012, you were sent via certified mail a Director's Proposed Action (Proposed Action) regarding the suspension of your Class 2 certification due to the indictment by the Hamilton County Grand Jury. When the certified mailing was returned unclaimed, your legal representatives, Lewis Sirkin and Niro Wijesooriya, were contacted. Per their recommendation, the Proposed Action was remailed to you on October 17, 2012, with copies provided to Mr. Sirkin and Mr. Wijesooriya. On November 15, 2012, Mr. Wijesooriya informed Ohio EPA that you would not be contesting the proposed suspension at this time.

Pursuant to Ohio Administrative Code Rule 3745-7-12(F), indictment in a criminal case for a crime related to the field of certification shall result in suspension of all certificates held by the certified operator until such time as the criminal case is resolved. Within thirty (30) days of issuance of a Proposed Action, a request for adjudication is required to be filed should you wish for this matter to go before the Ohio EPA Hearing Officer prior to becoming final. To date, Ohio EPA has not received a request for adjudication of your Proposed Action. Therefore, I am suspending your Class 2 Water Supply certificate WS2-1109133-08.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. 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 it is demonstrated 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, 17th Floor
Columbus, OH 43215

Sincerely,



Scott J. Nally
Director

cc: Andrew Barienbrock, DDAGW – CO
Kim Rhoads, Legal
Nirosham Wijesooriya, Mannillo & Jenkins
H. Lewis Sirkin, Santen & Hughes LLP