



**Environmental  
Protection Agency**

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

July 15, 2011

Sharon K. Crist  
1795 Brookdale Rd  
Lancaster, OH 43130

RE: Director's Findings and Orders

CERTIFIED MAIL

9171082133393109724650

Dear Ms. Crist:

I have enclosed a certified copy of the journalized, agreed upon Final Findings and Orders. This document is a final action of the Director and will be public noticed as required by Rule 3745-47-07(A) of the Ohio Administrative Code.

If you have any questions concerning compliance with these Findings and Orders, please feel free to contact me at (614) 728-1216.

Sincerely,

Andrew Barienbrock  
Environmental Supervisor  
Operator Certification Unit

Enclosure

cc: Beth Messer, DDAGW-CO (w/enclosure)  
Larry Reeder, DSW-CO (w/enclosure)  
Jose Quinones, DDAGW-CDO (w/enclosure)  
Mike Gallaway, DSW - CDO (w/enclosure)  
Kim Rhoads, Office of Legal Services (w/enclosure)  
Carol Hester, PIC (w/enclosure)  
File

Effective Date OHIO E.P.A.

JUL 15 2011

BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY

REGISTERED DIRECTOR'S JOURNAL

In the Matter of: :  
Sharon K. Crist :  
1795 Brookdale Rd :  
Lancaster, OH 43130 :

DIRECTOR'S FINAL  
FINDINGS AND ORDERS

Respondent, .

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.

PREAMBLE

It is agreed by the Parties hereto as follows:

 Date: \_\_\_\_\_

I. JURISDICTION

These Director's Findings and Orders (Orders) are issued to Sharon K. Crist (Respondent) pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) Chapter 6109 and § 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 6109 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Respondent holds a Limited Class A Water Supply Certificate, number LA1-1065945-04.
2. Respondent holds a Limited Class A Wastewater Treatment Certificate, number LWA-1065945-07.

3. Respondent is the owner and operator of the Brookdale Mobile Home Park public water system (PWS).
4. In accordance with OAC Rule 3745-7-12(A)(2), the Director may suspend or revoke the certification of an operator upon finding that the operator has performed the duties of an operator in a negligent or incompetent manner.
5. In accordance with OAC Rule 3745-7-12(A)(3), the Director may suspend or revoke the certification of an operator upon finding the operator knowingly or negligently submitted misleading, inaccurate, or false reports.
6. In accordance with OAC Rule 3745-7-12(A)(4), the Director may suspend or revoke the certification of an operator upon finding the operator has operated in a manner endangering the public health or welfare.
7. In accordance with OAC Rule 3745-7-12(A)(5), the Director may suspend or revoke the certification of an operator upon finding that the operator has operated in such a manner to have violated or caused to be violated any provisions of ORC Chapters 6109 or 6111.
8. In accordance with OAC Rule 3745-7-12(C), in cases dealing with fraudulent or falsified information, the Director shall take action on all certificates held by the certified operator.
9. In accordance with OAC Rule 3745-7-12(G), in cases dealing with a conviction of a crime related to certification, all certificates held by the certified operator shall be revoked.
10. Ohio EPA's Office of Special investigations (OSI) conducted an investigation of the Brookdale MHP due to complaints that Respondent instructed staff to turn off the chlorine pump after Ohio EPA inspectors left the park. The chlorine was not turned back on until the inspectors returned to the facility. During the investigation, OSI conducted covert sampling and determined minimal chlorine residuals were present in the distribution system. During an interview with investigators, Respondent admitted she falsified chlorine residuals that were being reported on the monthly operating reports.
11. On April 4, 2011, Respondent pled guilty to falsification in Fairfield County Municipal Court.
12. Respondent's falsification of PWS records constitutes the performance of her duties as an operator in a negligent or incompetent manner.
13. Respondent's falsification of PWS records constitutes the knowing or negligent submission of misleading, inaccurate, or false reports.

14. Respondent's falsification of PWS records constitutes the performance of her duties as an operator in a manner endangering the public health or welfare
15. Respondent's falsification of PWS records constitutes a violation of ORC Chapter 6109.

#### **V. ORDERS**

1. Upon the effective date of these Orders, Respondent's Limited Class A Water Supply Certificate, number LA1-1065945-04 and Limited Class A Wastewater Treatment Certificate, number LWA-1065945-07, are revoked.
2. Within ten (10) days of the effective dates of these Orders, Respondent shall return her Limited Class A Water Supply Certificate and Limited Class A Wastewater Treatment Certificate in accordance with the provisions in Paragraph X below.

#### **VI. TERMINATION**

Respondent's obligations under these Orders shall terminate upon the submission of her Limited Class A Water Supply certificate and Limited Class A Wastewater certificate in accordance with Paragraph X below.

#### **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 the Respondent's PWS operations.

#### **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. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

### **X. NOTICE**

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency  
Operator Certification Unit  
Division of Drinking and Ground Waters  
PO Box 1049  
Columbus, Ohio 43216-1049  
Attn: Andrew Barienbrock, Environmental Supervisor, DDAGW

### **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. Except for the right to seek civil or administrative penalties against Respondent for violations specifically cited in these Orders, which Ohio EPA does not waive, 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**

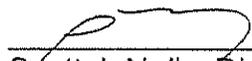
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

**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:**

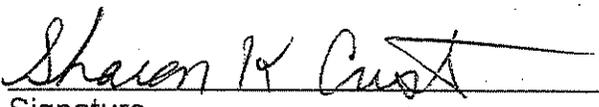
**Ohio Environmental Protection Agency**

  
\_\_\_\_\_  
Scott J. Nally, Director

7/14/11  
\_\_\_\_\_  
Date

**IT IS SO AGREED:**

**Sharon K. Crist**

  
\_\_\_\_\_  
Signature

6-29-11  
\_\_\_\_\_  
Date