

**RESOLUTION
OF THE
MAHONING COUNTY GENERAL HEALTH DISTRICT
BOARD OF HEALTH
DECLARING THAT UNSANITARY CONDITIONS EXIST
WITHIN THE JURISDICTION OF THE DISTRICT**

WHEREAS; The District Board of Health has monitored and documented a continuous water pollution problem and a human health risk in the Lake Milton area of Milton Township, on the southwest side of the Lake from Alois Drive south along Mahoning-Portage County Line Road to Ellsworth Road, east on Ellsworth Road to South East River Road, including all side streets north of Ellsworth Road, and South East River Road north to Mahoning Avenue, including all side streets; and

WHEREAS; The District Board of Health has previously declared that unsanitary conditions exist within this area on Alois Lane, Lillian Drive, Driftwood Street, Headland Avenue, Force Avenue, and Southeast River Road; and

WHEREAS; 45 percent of household sewage disposal systems in the area evaluated for mortgage lenders by the District Board of Health in 1998 and 1999 were found to be malfunctioning; and

WHEREAS; 37 percent of drinking water wells in the area tested by the District Board of Health in 1999 and 2000 were found to be unsafe for human consumption; and

WHEREAS; the recreational water quality primary contact standard for fecal coliform (Ohio Administrative Code Section 3745-1-07) is a geometric mean of no more than 1,000 fecal coliform per 100 milliliters, based on not less than five samples taken within a 30-day period and no more than 10 percent of samples taken within a 30-day period exceeding 2,000 fecal coliform per 100 milliliters; and

WHEREAS; the geometric mean of 7 samples taken on June 20, 2000 from Lake Milton (primary contact recreational water) in this area was 184 fecal coliform per 100 milliliters and 14 percent of samples exceeded 2,000 fecal coliform per 100 milliliters; and

WHEREAS; the recreational water quality secondary contact standard for fecal coliform (Ohio Administrative Code Section 3745-1-07) is no more than 10 percent of samples taken within a 30 day period exceeding 5,000 fecal coliform per 100 milliliters; and

WHEREAS; 20 percent of samples taken on August 1, 2000 from streams (secondary contact recreational water) discharging into Lake Milton in this area exceeded 5,000 fecal coliform per 100 milliliters; and

WHEREAS; Milton Township had the highest rate of sewage complaints among the 14 townships in the Mahoning County General Health District between 1994 and 1999, with a rate of 11.8 complaints for each 1,000 household sewage disposal systems, compared with 7.1 complaints for each 1,000 household sewage disposal systems in all 14 townships combined; and

WHEREAS; sewage complaints were lodged against 18 of the 258 homes in the area between 1990 and 1999; and

WHEREAS; control of pollution from failed household sewage disposal systems in this area has necessitated the installation of:

- mechanical sewage systems with off-lot discharge of treated effluent to Lake Milton and its feeder streams (35 of 117 household sewage disposal systems in the area for which the District Board of Health has records); or
- temporary sewage holding tanks when no household sewage disposal system could be designed to serve existing dwellings (10 of 117 household sewage disposal systems in the area for which the District Board of Health has records); and

WHEREAS; the Ohio Department of Health has repeatedly recommended that the District Board of Health impose a moratorium on new household sewage disposal system permits in the area; and

WHEREAS; pursuant to Ohio Revised Code Section 6117.34, upon complaint from a board of health to the Environmental Protection Agency that unsanitary conditions exist in a county, the Director of Environmental Protection shall forthwith inquire into and investigate the conditions which are the basis for such complaint.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 6117.34 of the Ohio Revised Code, the District Board of Health hereby makes complaint to the Ohio Environmental Protection Agency of the above-described unsanitary condition.

ADOPTED by the Board of Health of the Mahoning County General Health District this
22nd date of September, 2000.

DISTRICT BOARD OF HEALTH

By _____
Donald Somers, President

By _____
Matthew Stefanak, M.P.H., Health Commissioner