



State of Ohio Environmental Protection Agency

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402TELE: (937) 235-6357 FAX: (937) 255-6248
www.epa.state.oh.usTed Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

January 26, 2009

CERTIFIED MAILMr. Larry Reinsmith, Service Director
City of Wilmington
69 North South Street
Wilmington, Ohio 45177**Re: The City of Wilmington; PWS ID: # 1401211; Clinton County;
Surface Water Treatment Rule Violation of OAC Rule 3745-81-74**

Dear Mr. Reinsmith:

The City of Wilmington is in violation of Chapter 6109 of the Ohio Revised Code (ORC) by failing to comply with the requirements for filtration and disinfection of surface water sources set forth in Ohio Administrative Code (OAC) rules 3745-81-71 through 3745-81-75 and 3745-83-02.

Specifically, the City of Wilmington is in violation for failure to continuously sample or conduct grab sampling for turbidity of each individual filter effluent, as required by rule, when filter 1B was not monitored for a 123 hour period time on January 19th, 2009 thru January 24th, 2009.

OAC rule 3745-81-32 requires the City of Wilmington to notify persons served by its water system of its failure to perform the monitoring required by OAC rule 3745-81-74 (B). In order to avoid any further violations, you must do the following:

OAC 3745-81-32 (D)(2). Public Notification. Community public water systems shall provide notice as soon as practical, but no later than one year after the public water system learns of the violation or situation.

The following forms of delivery shall be used in order to reach all persons served:

(a) Mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system; and

Mr. Larry Reinsmith, Service Director
January 26, 2009
Page 2

(b) Any other method reasonably calculated to reach other persons regularly served by the system, if they would not normally be reached by the notice required in paragraph (D)(2)(a) of this rule. Such persons may include those who do not pay water bills or do not have service connection addresses (e.g., house renters, apartment dwellers, university students, nursing home patients, prison inmates, etc.). Other methods may include: publication in a local newspaper; delivery of multiple copies for distribution by customers that provide their drinking water to others (e.g., apartment building owners or large private employers); posting in public places or on the Internet; or delivery to community organizations. If the public notice is posted, the notice shall remain in place for as long as the violation or other situation persists, but in no case less than seven days (even if the violation or situation is resolved).

(c) The Consumer Confidence Report (CCR) required under Chapter 3745-96 of the Administrative Code may be used as a vehicle for the initial public notice and all required repeat notices, as long as:

The CCR is provided to persons served within the time frames specified in paragraph (D)(2) of this rule; and the notice contained in the CCR follows the content requirements under this rule; and the CCR is distributed following the delivery requirements in this rule.

Enclosed is a copy of the public notification that you need to issue and a verification form that is required to be sent to the SWDO of the Ohio EPA.

Should the City of Wilmington fail to correct its violations, Ohio EPA may take action to enforce the requirements of its drinking water rules. A civil penalty could be assessed as part of this enforcement action.

If you have questions concerning these requirements, call me at (937) 285-6117.

Sincerely,



John McDaniel
Public Drinking Water Unit
Division of Drinking and Ground Waters

Enclosure

CC: Jerry Rowlands, Water Superintendent, City of Wilmington

JMD\bp

**PUBLIC NOTICE INSTRUCTIONS AND VERIFICATION FORM FOR
COMMUNITY PUBLIC WATER SYSTEMS WITH TIER 3 VIOLATIONS**

The owner or operator of a community public water system with a Tier 3 violation or situation shall notify the persons served by the public water system as soon as practical but **no later than one year** after the system learns of the violation. At a minimum, community public water systems must issue the notice by **mail or other direct delivery**. Public notice issued by methods other than posting shall be repeated annually as long as the violation or situation persists.

I HEREBY CERTIFY THAT THE PUBLIC WAS NOTIFIED BY THE FOLLOWING METHOD(S) INDICATED BELOW, AS DESCRIBED IN THE OHIO ADMINISTRATIVE CODE RULE 3745-81-32:

Required Method of Public Notification	Actual Method of Public Notification
<p>Use the following method to reach all persons served by the public water system:</p> <p>Public notice issued by mail or other direct delivery to each customer receiving a bill and to other service connections to which water is delivered by the public water system. The consumer confidence report delivered to customers by July 1 of each year may be used as long as the public notice includes all the required content and is delivered within the required timeframe.</p>	<p>Describe actual methods used to notify public of the violation:</p> <p>A. Date of mailing/delivery _____</p>
<p>If the above method does not reach all persons served, also use any other method reasonably calculated to reach other persons regularly served by the public water system (e.g. publication in a local newspaper, delivery of multiple copies for distribution by customers that provide their drinking water to others, posting in public places served by the system or on the Internet, or delivery to community organizations). If the notice is posted, it shall remain in place as long as the violation exists, but in no case less than 7 days.</p>	<p>A. Method(s) _____</p> <p>_____</p> <p>B. Date(s) _____</p> <p>_____</p>

Please check if the public notice used was provided by Ohio EPA (other side of this form) or another acceptable notice was used:

_____ A public notice as shown on the other side of this sheet was issued without changes.

_____ A different public notice was issued. **INCLUDE A COPY OF THE PUBLIC NOTICE.**

Signature of Responsible Person Date

Printed Name and Title of Responsible Person

City of Wilmington PWS
OH1401211
Clinton County
January 2009
Surface Water Treatment Monitoring (Vio.
Type 36)

<p>For Ohio EPA use only: Date PN received: _____ PN acceptable: _____ PN not acceptable: _____</p>

DRINKING WATER NOTICE

Turbidity monitoring requirements were not met for
City of Wilmington PWS

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During January 2009, we did not monitor or test or did not complete all monitoring or testing for individual filter effluent turbidity, as required by rule, from January 19th, 2009 thru January 24th, 2009 and therefore cannot be sure of the quality of your drinking water during that time.

What Should I Do?

- *There is nothing you need to do at this time. You do not need to boil your water or take other corrective action.*
- *This notice is to inform you that the City of Wilmington PWS did not monitor and report results for the for individual filter effluent turbidity, as required by rule, from January 19th, 2009 thru January 24th, 2009, as required by the Ohio Environmental Protection Agency.*

What is being done?

Upon being notified of this violation, the water supply was required to have the drinking water analyzed for the above mentioned parameters. The water supplier will take steps to ensure that adequate monitoring will be performed in the future.

For more information, please contact _____ at _____
name of contact phone number
or at _____
mailing address

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

PWSID# OH1401211	Date Distributed:
------------------	-------------------

7006 2760 0003 0781 3376

U.S. Postal Service™
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

MAILED JAN 26, 2009

Postage	\$	FROM: JOHN M. DANIEL - 08460 Postmark Here
Certified Fee		
Return Receipt Fee (Postage Not Required)		
Registered Delivery Fee (Endorsement Required)		

To: **MR LARRY REINSMITH SERVICE DIR**
CITY OF WILMINGTON
69 NORTH SOUTH ST
WILMINGTON OH 45177

—

—