



**Environmental
Protection Agency**

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



July 10, 2012

NOTICE OF VIOLATION – ACTION REQUIRED

Mr. Tom Prater, President
Board of Public Affairs
404 Courtright Street
P. O. Box 304
McGuffey, Ohio 45859-0304

Hardin County
McGuffey Village
Community PWS

PWS ID: OH3300712

Dear Mr. Prater:

The Public Water System serving McGuffey Village is in violation of the Ohio Administrative Code (OAC) 3745-81-60 for failure to respond in writing within 30 days to a significant deficiency. The McGuffey Village public water system (PWS) was notified in correspondence dated March 19, 2012, of the requirement to respond in writing within 30 days, with a schedule for corrective actions to address the following:

1. OAC rule 3745-9-01 (B) states that an "abandoned well means a well, test hole, or dry hole whose use has been permanently discontinued."

OAC rule 3745-9-10 (A) states that "an abandoned well shall be sealed in accordance with this rule and rule 3745-9-07 of the Administrative Code."

The unused well (Well #1), which was located within the water treatment plant, was not in use and reportedly hasn't been since 2006. It was communicated during the on-site sanitary evaluation survey that this well may be kept as an emergency source of water.

The PWS must properly seal that unused well (Well #1) if it is left abandoned and inactive. Proper abandonment of wells is essential to protecting precious ground water resources.

2. OAC rule 3745-85-01 (B) states that a "Contingency plan (is) required. Each community water system shall prepare and maintain a written contingency plan for providing safe drinking water to its service area under emergency conditions."

OAC rule 3745-85-01 (D) (3) states that "the contingency plan shall contain a determination of not less than ten of the most likely emergencies that will affect the water system and a description of the procedures to be followed and actions necessary to provide service during the emergencies.

For systems serving fewer than one thousand five hundred people, the following emergency circumstances shall be included in such outline; (a) Short term power failure (time of interruption less than two hours); (b) Extended power failure (two hours or more); (c) Pump or motor failure; (d) Loss of water from a well or other water source; (e) Major water main break; (f) Unplanned absence of operator; and (g) Contamination of source water including, but not limited to, releases of oil and hazardous substances."

OAC rule 3745-85-01 (E) states that "the contingency plan... shall be revised and updated as necessary, but at least annually."

There was no contingency plan available.

The PWS must immediately complete its contingency plan and then revise/update its plan annually hereafter.

3. OAC rule 3745-7-09 (A) states that "the owner and operator of record of a public water system... shall maintain or cause to be maintained operation and maintenance records for each public water system, water treatment plant within a public water system... Some of the formats in which records may be maintained include, but are not limited to, hard bound books with consecutive page numbering, time cards, separate operation and maintenance records, or well organized computer logs."

Operational bench sheets were being kept for chlorine residuals; however, sodium hypochlorite chemical solution usage figures were not being recorded periodically.

The PWS must keep maintenance records on all system components including quantitative chemical solution usage.

4. OAC rule 3745-95-02 (A) states that "No person shall install or maintain a water service connection to any premises where actual or potential cross-connections to a public water system or a consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the supplier of water."

OAC rule 3745-95-03 (A) states that "The supplier of water shall conduct or cause to be conducted periodic surveys and investigations, of frequency acceptable to the director, of water use practices within a consumer's premises to determine whether there are actual or potential cross-connections to the consumer's water system through which contaminants or pollutants could backflow into the public water system."

OAC rule 3745-95-04 lists facilities where back flow prevention devices are required. The types of devices are listed in OAC rule 3745-95-05.

OAC rule 3745-95-06 (C) states that "It shall be the duty of the water consumer to maintain any backflow prevention device required by rules 3745-95-04 and 05 of the Administrative Code in proper working order and in continuous operation."

Section 1 states that "The supplier of water shall retain authority over any backflow prevention device required by rules 3745-95-04 and 05 of the Administrative Code." Section 2 states that "It shall be the duty of the supplier of water to see that the tests and inspections required under this paragraph are made." Section 3 states that "The consumer shall, on any premises on which backflow prevention devices required by rules 3745-95-04 and 05 of the Administrative Code are installed, have thorough inspections and operational tests made of the devices at the time of installation or repair, and as may be reasonably required by the supplier of water or the director, but in all cases at least once every twelve months. These inspections and tests shall be at the expense of the water consumer and shall be performed by the supplier of water or a person approved by the supplier as qualified to inspect and test backflow prevention device." Section 4 states that "These devices shall be repaired, overhauled or replaced at the expense of the consumer whenever they are found to be defective." Section 5 states that "Records of such inspections, tests, repairs and overhaul shall be kept by the consumer and made available to the supplier of water."

OAC rule 3745-95-06 (D) states that "the supplier of water shall inspect or cause to be inspected all installations where an approved connection exists between an auxiliary water system and the public water system or a consumer's water system at least once every twelve months and shall maintain an inventory of all such installations and inspection records. Such inventories and inspection records shall be made available during sanitary surveys and at other reasonable times."

There was no backflow prevention/cross-connection control village ordinance and correspondingly no formal backflow prevention program.

The PWS must conduct or cause to be conducted periodic investigations and surveys of water use practices within consumers' premises. These surveys and investigations are to determine whether or not cross-connections exist, and if there is a potential for cross-connections to exist through which contaminants or pollutants could backflow into the public water system.

The PWS must determine if backflow prevention devices would be required on any consumer service connection throughout the distribution system, and that they are appropriately installed when necessary.

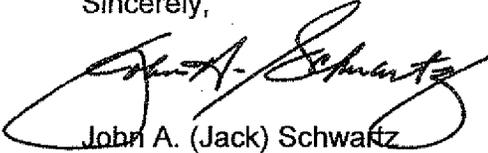
The PWS must see that thorough inspections and operational tests of backflow prevention devices are made at the time of installation or repair, and as may be reasonably required by the supplier of water or the director, but in all cases at least once every twelve months. These inspections and tests shall be at the expense of the water consumer and shall be performed by the supplier of water or a person approved by the supplier as qualified to inspect and test backflow prevention device

The PWS must see that records of such inspections, tests, repairs and overhaul of backflow prevention devices are kept by the consumer and made available to the supplier of water.

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If you have any questions regarding the sanitary evaluation survey, this letter, or any other matter involving your public water system, then please feel free to contact me directly at this office (419) 373-3088 or on the web at <jack.schwartz@epa.state.oh.us>.

Sincerely,



John A. (Jack) Schwartz
Environmental Specialist 2
Public Drinking Water Unit
Division of Drinking and Ground Waters

JAS/ltr

pc: James A. Meyer, Operator/Consultant
Charles Bell, Town Man
Council & Mayor
Hardin County Health Department
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NWDO, DDAGW, Correspondence File