



State of Ohio Environmental

Southwest District Office

401 E. Fifth St.
Dayton, Ohio 45402

TELE: (937) 285-6357 FAX: (937) 285-6249
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

June 1, 2009

**RE: CITY OF DAYTON;
MONTGOMERY COUNTY
COMMUNITY WATER SYSTEM
PWS I.D. #OH5703512**

CERTIFIED

City of Dayton
Mr. Rashad M. Young, City Manager
101 West Third Street
Dayton, Ohio 45402

Dear Mr. Young:

The City of Dayton Water system 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. The City of Dayton's Ottawa Plant surface water treatment plant violated OAC rule 3745-81-73 when the following filtration requirements were not met during the month of May 2009:

The water system failed to provide sufficient filtration of its drinking water when the turbidity levels of representative samples of its filtered water exceeded 1 nephelometric turbidity units (NTU) on May 22, 2009.

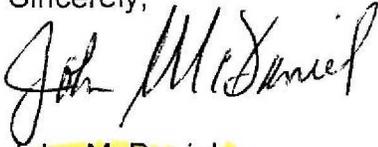
Also, in accordance with OAC 3745-81-32 (B)(1)(g)(i), the City of Dayton failed to notify the agency within twenty-four hours after learning of the violation.

Failure to meet any requirement of OAC rule 3745-81-73, Filtration of Water from Surface Water Sources, is a treatment technique violation for which public notification is required under OAC rule 3745-81-32. You are required to provide a public notice as soon as practical but no later **30 days** after the system learns of the violation or situation, using 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. Please return a copy of the public notice issued, along with the completed verification form, to this office within 30 days of the date of this letter.

City of Dayton
June 1, 2009
Page 2

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

Sincerely,

A handwritten signature in black ink that reads "John McDaniel". The signature is written in a cursive style with a large initial "J" and "M".

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

JM/ca

cc: Martha Schwendeman, Manager, Dept. of Water, Division of Supply &
Treatment
David Secor, SWDO Compliance Coordinator
Dave Evans, Engineering and Operations, DDAGW/CO
Montgomery County Health Department

DRINKING WATER NOTICE

The City of Dayton Water Treatment Did Not Meet Treatment Requirements

We routinely monitor our water for turbidity (cloudiness). This tells us whether we are effectively filtering the water supply. A water sample taken May 22, 2009 showed turbidity levels of [number] turbidity units. This is above the standard of [standard] turbidity units. Because of these high levels of turbidity, there is an increased chance that the water may contain diseasecausing organisms.

What should I do?

- **You do not need to boil the water or take other actions.** We do not know of any contamination, and none of our testing has shown disease-causing organisms in the drinking water.
- *Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease causing organisms. These organisms include bacteria, viruses, and parasites, which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. People with severely compromised immune systems, infants, and some elderly people may be at increased risk. These people should seek advice about drinking water from their health care providers.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

What is being done?

We are investigating and taking the necessary steps to correct the problem as soon as possible.

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

General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1(800) 426-4791.

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#: _____ Date distributed:

Tier 2: SWTR Notice - Single Turbidity Exceedance

PUBLIC NOTICE INSTRUCTIONS AND VERIFICATION FORM FOR COMMUNITY PUBLIC WATER SYSTEMS WITH TIER 2 VIOLATIONS

The owner or operator of a community public water system with a Tier 2 violation or situation shall notify the persons served by the public water system as soon as practical but **no later than 30 days** after the system learns of the violation. Public notice shall be repeated every 3 months 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</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>B. Date(s)</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 Official Date Dayton, of City PWS
NAME OF PUBLIC WATER SYSTEM

Printed Name and Title of Responsible Official PWSID NUMBER: 5703512
COUNTY NAME: Montgomery

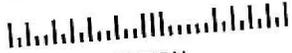
For OEPA use only	VIOLATION TYPE: <u>41</u>
Date PN Received: _____	MONITORING PERIOD <u>May 2009</u>
PN acceptable: <input type="checkbox"/> PN not acceptable: <input type="checkbox"/>	

7004 2890 0000 1024 9035

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

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

OFFICIAL USE

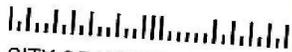
Postage \$		Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery (Endorsement Req)		
Total Postage &		
Sent To	 CITY OF DAYTON RASHAD M YOUNG CITY MANAGER 101 WEST THIRD ST DAYTON OH 45402	
Street, Apt. No.; or PO Box No.		
City, State, ZIP+4		

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:


 CITY OF DAYTON
 RASHAD M YOUNG
 CITY MANAGER
 101 WEST THIRD ST
 DAYTON OH 45402

2. Article Number
(Transfer from service label)

7004 2890 0000 1024 9035

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Theresa Schwede Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
JUN 03 2009

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes