



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

RE: Hardin County  
McGuffey Village Water  
Community Public Water System  
PWS ID#OH3300712  
STU ID#3354889

October 5, 2009

OH3300712

MCGUFFEY, VILLAGE OF

10/5/2009

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

Dear Mr. Prater:

**Subject: Notice of Violation for Failure to Respond to a Significant Deficiency**

This letter is notification that the McGuffey Village Public Water System has not complied with requirements issued during this Agency's last survey performed on May 21, 2009, in violation of Ohio Administrative Code (OAC) rule 3745-81-60. Correspondence dated July 15, 2009, required a written response within 45 days, with a time frame for resolving the following issues:

1. OAC Rule 3745-9-04 (A)(3) requires a public water system to own all the land or obtain an easement of the sanitary isolation radius of a public water system well, and such easement or lease shall be recorded with the county recorder. OAC Rule 3745-9-04 (A)(6) prohibits potential sources of contamination to be constructed or placed within the sanitary isolation radius of a public water system.

The Village of McGuffey public water system lacks adequate control of the 300' isolation radius around wells 0001 and 0002. The Village of McGuffey neither owns or has obtained an easement or lease of the entire property within 300'. Potential sources of contamination within the well isolation radius includes farming and waste water drain line. Farming occurs without appropriate control measures in place to prohibit the application of fertilizers, herbicides and pesticides within 300' of both wells.



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Note: The Village of McGuffey has developed two wells (003 & 0005) in a well field east of East Street. The raw water quality of both wells exceeded the secondary maximum contaminant level for iron and total dissolved solids. The wells are not in service pending the installation of treatment equipment (new aeration unit and iron filtration). The raw water service line from the wells to the water treatment plant has been installed to a point adjacent the water treatment plant. Until Wells No. 003 and 0005 are brought on line, the Village of McGuffey source water is vulnerable due to its reliance on a single source (Well No. 1) for its water.

**Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "The water treatment plant is currently under contract with Amburgy Construction and Kirk Brothers to activate the new wells. This work should be complete by January 1, 2007".*

*The two new wells (003 & 005) were active at the time of the survey. The Village of McGuffey has not taken action to secure control of the 300' isolation radius around well 001 & 002.*

2. OAC 3745-9-05(T) requires on all well caps and seals a well vent to be self draining, screened with a noncorroding mesh screen of fifteen to thirty mesh, pointed downward at or above the top of the casing or pitless unit. The vent shall terminate not less than 12 inches above the well house floor or concrete apron surface. An appropriate vent was not installed on well 0001.

**Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "Well #0001 will be abandoned as soon as new wells are on line. This will be a moot issue by the end of the year."*

*Well 001 has not been abandoned.*

3. OAC Rule 3745-9-10 requires wells not being used to obtain water or provide information on quality, quantity, and water level, be sealed. Abandon Well 0002 in accordance with OAC Rule 3745-9-10 and State of Ohio Technical Guidance for Sealing Unused Wells (<http://www.epa.ohio.gov/portals/28/documents/gwqcp/wellsealguid.pdf>).

**Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "Well #0001 and 0002 will be abandoned and sealed under our current contract."*

*Well 001 & 002 have not been sealed in accordance with OAC Rule 3745-9-10 and the State of Ohio Technical Guidance for Sealing Unused Wells.*

4. Recommended Standards For Water Works 2003 Edition Section 7.0.7 requires all water storage structures shall be provided with an overflow which is brought down to an elevation between 12 and 24 inches above the ground surface, and discharges over a drainage inlet structure or a splash plate. No overflow may be connected directly to a sewer or a storm drain. All overflow pipes shall be provided inside the valve. The overflow for the clearwell discharges directly to a catch basin then a storm sewer drain to Cottonwood Ditch.

**Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "I have talked to Jones and Henry Engineers and ask them to review this problem."*

*The clearwell overflow does not discharge over a splash plate.*

5. OAC Chapter 3745-95 establishes requirements for backflow prevention and cross connection control program. The program is recommended to include the following segments:
- Adoption of local backflow prevention ordinance and regulations;
  - A program for the education of the public, waterworks personnel, the plumbing industry, and others to create an awareness of the problem; and competency in the detection and evaluation of hazards;
  - A program for the survey of existing building plans for cross-connections;
  - A program for the review of new building plans for cross-connections;
  - A program to detect newly installed cross-connections through periodic re-inspection.
  - A testing and maintenance program for installed backflow prevention devices;
  - An enforcement program to see that cross-connections are properly protected or eliminated;
  - A comprehensive record system.

Take action to implement a backflow prevention and cross connection control program.

**Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "A backflow preventor Ordinance will be prepared and presented to the Board of Public Affairs and the McGuffey Council."*

*The Village of McGuffey has not implemented a backflow prevention and cross connection control program capable of fulfilling the requirements of OAC Chapter 3745-95.*

6. OAC Rule 3745-81-21 requires public water system to maintain a written bacteriological sample siting plan. A template is available online at <http://www.epa.ohio.gov/portals/28/documents/reporting/ddbp%20gw%20smp.pdf>
- Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "A bacteriological sample siting plan will be prepared."*

*The bacteriological sample siting plan, dated October 1999, contains outdated information, therefore, the plan must be updated.*

7. OAC Rules 3745-81-23, 3745-81-24, and 3745-81-70 require development of sample monitoring plans for total trihalomethanes and haloacetic acids 5; and disinfectant residuals. These sample monitoring plans must address at least the following:
  - locations where samples will be taken,
  - schedules for sampling,
  - how compliance with maximum contaminant levels (MCLs) and maximum disinfectant residual levels (MRDLs) will be calculated.

You may address all the disinfectants and disinfection byproducts pertinent to your system with a single plan. Guidance is available online at <http://www.epa.ohio.gov/portals/28/documents/reporting/ddbp%20gw%20smp.pdf>. Upon final development submit, to my attention, two (2) copies of the map showing all sample sites and a table listing the address of each.

**Issue Unresolved.** *In correspondence dated August 11, 2006, the PWS responded: "A sample monitoring plan for total trihalomethanes and haloacetic acid will be prepared."*

*The Village of McGuffey prepared a sample monitoring plan, however, the map of the distribution system must be revised to identify the sample monitoring point for maximum residence time.*

8. OAC Rule 3745-85-01 requires the development of a contingency plan. Revisions and updates shall be made as necessary, but at least annually.

**Issue Unresolved.** *A contingency plan was to be prepared after the work at the treatment plant was complete.*

*A contingency plan has not been developed.*

9. In accordance with OAC Rule 3745-7-09 (A), 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. 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. In accordance with OAC Rule 3745-7-09 (A)(3), at a minimum, the following information shall be recorded: (a) Identification of the public water system; (b) Date and times of arrival and departure for the operator of record and any other operator required by this chapter; (c) Specific operation and maintenance activities that affect or have the potential to affect the quality or quantity of water produced; (d) Results of tests performed and samples taken, unless documented on a laboratory sheet;

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(e) Performance of preventive maintenance and repairs or requests for repair of the equipment that affect or have the potential to affect the quality or quantity of water produced; and (f) Identification of the persons making entries.

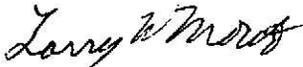
The Village of McGuffey must comply with the recordkeeping requirements and responsibilities of a certified operator in accordance with OAC Rule 3745-7-09.

10. Submit documentation of or a plan of action for obtaining untreated water samples from Well 003 & 005, analyzed for coliform contamination for at least four calendar quarters of a year, with no analysis showing any coliform bacteria present (OAC Rule 3745-81-76 (B)(2)(b)).

The water system must respond in writing within 15 days from the date of this letter with the required information. Failure to comply may result in further enforcement action.

If you have any questions regarding this letter, or any other matter involving your water system, please feel free to contact me at 419.373.3042 or [Larry.Moritz@epa.state.oh.us](mailto:Larry.Moritz@epa.state.oh.us).

Sincerely,



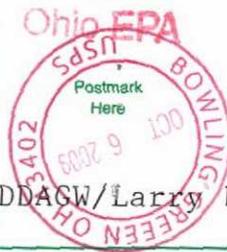
Larry W. Moritz  
Environmental Specialist 2  
Division of Drinking and Ground Waters

/csl

cc: Hardin County Health Department  
DDAGW, Operations CO  
DDAGW – NWDO File

ec: Linda Benham, Environmental Supervisor  
JoAnn Sabo, District Office Compliance Coordinator

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PS Form 3800, August 2006 See Reverse for Instructions	

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