



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

February 4, 2013

RE: WAYNE COUNTY  
VILLAGE OF APPLE CREEK  
COMMUNITY WATER SYSTEM  
PWS ID NO. OH8500112

**CERTIFIED MAIL 7010106000000898466**

The Honorable Mayor Judy Gotti  
Village of Apple Creek  
P.O. Box 208  
Apple Creek, OH 44606

**RE: NOTICE OF VIOLATION: BACKFLOW PREVENTION, MANGANESE**

Dear Mayor Gotti:

The Village of Apple Creek is in violation of Ohio Administrative Code Rule (OAC) 3745-95 for 2012. This rule requires the Village to ensure that all backflow prevention devices are installed as required and tested at least annually. This violation of the OAC is based upon information reported on *2012 Monthly Operating Reports (MORs)*. The Village reported that all service connections have been evaluated, and a total of 28 service connections require the protection of a backflow prevention device. Of these 28 connections, 25 devices were reported to have been installed as required. Annual testing was reported to have been completed on only 12 of these devices. Annual testing was not completed on 13 devices as required, and 3 devices have not been installed as required. The Village was notified of deficiencies in the Backflow Prevention Program in correspondence dated October 4, 2010 and August 22, 2011. Despite these notifications, the Village is again in violation of OAC 3745-95.

In addition, the Village is in violation of OAC 3745-82-02, maintaining compliance with the secondary MCL of 0.05 mg/l for manganese. Manganese is required to be tested, at a minimum, once a week. Manganese levels exceeded the secondary MCL in two out of four samples in July, two out of four samples in August, four out of four samples in September, three out of four samples in October and two out of four samples in

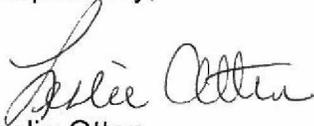
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December. We understand that backwashing is now conducted daily and manganese levels have remained below the secondary MCL in January 2013.

Within thirty (30) days of the receipt of this letter, a written response from the Village must be received documenting the steps that will be taken to resolve the violation of OAC 4745-95, Backflow Prevention. To bring the Village into compliance, all required backflow devices are to be installed and annual testing completed by July 1, 2013. Continued non-compliance will result in referral to our central office in Columbus for further enforcement action.

If you have any questions, I can be contacted directly at 330-963-1235.

Respectfully,



Leslie Otten  
Environmental Specialist  
Division of Drinking & Ground Waters

LO:ds

cc: Ms. Betty Keener, Village Council President  
Mr. Kevin Dean, Operator of Record