



State of Ohio Environmental

Northeast District



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Twinsburg, Ohio 44087

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

May 14, 2008

RE: WAYNE COUNTY
BURBANK PARK
200 W. MIDDLE ST.
BURBANK, OH 44214
TRANSIENT WATER SYSTEM
PWS ID # OH8532312
STU ID # 8559646

Mr. Steve Wiles
Village of Burbank
128 Diagonal
Burbank, OH 44214

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

Dear Mr. Wiles:

This letter is notification that the Burbank Park PWS has not complied with requirements issued during this Agency's last survey performed on August 7, 2007, in violation of rule 3745-81-60 of the Ohio Administrative Code. Burbank Park was notified in correspondence dated August 28, 2007, to respond in writing with time frames for the following requirements:

Previous Requirement(s):

Several required items were noted in the last inspection report dated February 20, 2003 as being deficient. The following is a summary of the 2003 requirements and notation as to whether it has or has not been adequately addressed.

- We discussed the yard hydrants at Burbank Park. According to OAC Chapter 3745-99-01, the installation of yard hydrants where water is available or accessible for drinking or culinary purposes and having drip openings below ground surface is prohibited unless such hydrants are equipped with approved devices to prevent entrance of ground water into chambers connected with the water supply. We asked that you check to see that your yard hydrants are in compliance with this regulation.

During this survey, we discussed the yard hydrants and you believe that your yard hydrants are the type with the drip openings. These types of hydrants must be replaced or the weep holes must be plugged. Any hydrant that would be used throughout the winter would have to be replaced with non-weep hole, freeze-proof design. We will require that this be initiated as soon as possible, and be completed within five (5) years. You had informed me that the expense would be great considering water from Medina County was anticipated to serve the entire Village of Burbank. Please respond in writing as to how you intend to comply with this requirement, and the anticipated schedule for completion. Include in this response discussions you may have had with officials regarding water being obtained from the anticipated new PWS in Medina County and the anticipated date for this, too.

- We stated that Burbank Park's well has not yet been designated as a groundwater source. Section 3745-81-76 of the OAC requires the Director of the Ohio EPA to complete final water source designation for all public water sources. In order for the water source of Burbank Park to receive a favorable designation of "groundwater", Burbank Park must demonstrate that the well is constructed in compliance with the drinking water requirements. Please verify that your well's water tight casing depth is at least 25 feet below grade.

We did not receive any further information about your well, nor could we locate a well log for your well. Please contact a state recognized well driller to measure your casing depth, complete the enclosed form, and return the completed form to this office.

- Sample Siting Plan - OAC Chapter 3745-81-21(A) requires public water systems to prepare a written coliform bacteria sample siting plan. During the previous survey, we told you that we do not have a sample siting plan on file for Burbank Park.

A sample siting plan is especially useful when the person who normally samples is unavailable. It includes information on where to collect the samples, how many to collect, and what laboratory is utilized for analysis. It includes an appendix with information on proper sampling techniques and also discusses what actions are required if a sample is found to be total coliform positive.

We still do not have a sample siting plan for Burbank Park, in violation of this regulation. Please complete the enclosed sample siting plan template and return a completed copy to this office. Please maintain it on site for future inspections.

Other Requirement(s):

- Routine Monitoring - It is a requirement to perform routine water sampling as required by the Director. You must be vigilant about conducting your total coliform monitoring in accordance with OAC 3745-81-21 and following your yearly monitoring schedules issued to you at the end of the previous year from our central office. For your convenience, monitoring schedules are available for viewing at our Website listed below.

The following is a summary of violations that have been issued to Burbank Park since the time of the previous survey.

Letter Date	Violation	Violation Period	Public Notification (PN) / Verification of PN Date
7/15/04	Routine Total Coliform Monitoring	April through June 2004	None
10/19/04	Routine Total Coliform Monitoring	July through September 2004	None
3/8/05	Routine Nitrate Monitoring	July through December 2004	None

7/20/05	Routine Total Coliform Monitoring	April through June 2005	None
3/22/06	Routine Nitrate Monitoring	July through December 2005	None
3/22/06	Routine Nitrite Monitoring	July through December 2005	None

New Requirement:

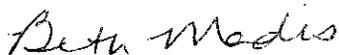
- Public Notification - Our records indicate that Burbank Park failed to post a public notice for all of the aforementioned monitoring violations. Failing to post a notice is a violation of OAC 3745-81-32, which states "the owner or operator of a public water system which fails to perform the monitoring established by this chapter, or fails to comply with a testing procedure required by this chapter, or is granted a variance or exemption pursuant to this chapter, shall notify persons served by the public water."

In order to correct the violations, you must post public notices (attached) for these violations. The notice must be posted for a minimum of ten days. Within 45 days, please send a copy of the notices that you posted, along with the completed verification forms (back sides of the public notices), to this office.

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, please contact me at (330) 963-1194.

Sincerely,



Beth Madis
Environmental Specialist
Division of Drinking and Ground Waters

BRM/ams

cc: Ohio EPA, Central Office, DDAGW / OFAS
Wayne County Health Department