



State of Ohio Environmental  
Northeast District



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

May 16, 2008

RE: WAYNE COUNTY  
AC PRODUCTS  
NON-TRANSIENT, NON-COMMUNITY  
PUBLIC WATER SYSTEM  
PWS ID# OH8555612  
STU ID# 8559772

Mr. David Reader  
AC Products  
4299 S. Apple Creek Rd.  
P.O. Box 518  
Apple Creek, OH 44606

**CERTIFIED MAIL**

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

Dear Mr. Reader:

This letter is notification that the AC Products PWS has not complied with requirements issued during this Agency's last survey performed on February 13, 2008, in violation of rule 3745-81-60 of the Ohio Administrative Code. AC Products was notified in correspondence dated March 14, 2008, to respond in writing, with time frames for the following requirements:

**Previous Requirement(s):**

The following required items were noted in the last inspection report dated March 3, 2004 as being deficient. The following is a summary of the requirements and notation as to whether they have or have not been adequately addressed.

- Sample Siting Plan - During the previous survey, we discussed drafting a written total coliform bacteria sample siting plan. OAC Section 3745-81-21(A) requires public water systems to prepare a written coliform bacteria sample siting plan. 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 have a sample siting plan on file for AC Products dated November, 1998. We asked that if any updates or changes are made, to please mail a copy of your most recent sample siting plan to this office.

We did not receive an updated plan. However, since your water system is under new management, please now update the plan to reflect any changes. Enclosed is a copy of your 1998 plan as well as guidance, reflecting new rule changes, to create a new plan.

**New Requirement(s):**

- Certified Operator – Your PWS was classified as a Class A PWS. In accordance with OAC 3745-7-02, you must have a certified operator with a classification greater than or equal to the classification of your PWS. Due to personnel changes, you no longer have a Class A

Operator. You will need to contact our Certification Unit at (866) 411-OPCT to inquire about obtaining a license. Also, please contact Dave Evans of our Central Office at (614) 644-2752 to discuss your plan for returning to compliance.

- Backwash Discharge Line - It was noted during the survey that the backwash discharge line from the iron filters extends into the sewer line serving the building; therefore an air gap is required. The air gap will prevent contaminated water from back-siphoning into the water system should a vacuum occur. Please eliminate this potential backflow hazard. We could not locate the end point for the softener backwash discharge line. Please investigate whether the softener backwash discharge line also has a similar end point and correct this backflow hazard if one exists.
- 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.

#### **RECOMMENDATION(S)**

The following deficiencies are not regulatory violations, but are actions that are recommended by this Agency for optimum operation and to reduce the potential for future violations or contamination:

- Raw Water Tap – We recommend that a sample tap be installed upstream of the pressure tank so that a raw water sample representative of the well can be obtained. If a routine sample result should be reported as total coliform positive, and some or all of the required repeat sample results are also positive, this raw water sample will assist in determining if the bacteria is coming from the well. In addition, the new Groundwater Rule, which will affect most PWSs and will become effective December 1, 2009, will require that when a total coliform positive result is received from the distribution system, a sample must be collected from the well. This sample tap should be located before the pressure tank, at a location that is easily accessible and where the sample bottle can easily be filled up. The tap should be smooth-nosed (not the type used for a hose) and produce a smooth, pencil-thin flow of reasonable velocity.
- Well Cap – During the survey, we observed your well. Your well has a well cap that is tightly secured to the well casing. However, these types of caps are considered to be temporary well caps. The well cap should be replaced by a permanent well cap that meets the following requirements:
  - According to OAC 3745-9-05(P), a “well shall have a well cap or seal to prevent the entrance of water, dirt, animals, insects, or other foreign matter. The top of the casing at its finished height shall be cut so that the surface will fit flush with the well cap and provide a tight seal. The well cap or seal shall fit securely to the top of the well casing, be secured with screws or other appropriate connections, and vent to the atmosphere.”
  - According to OAC 3745-9-05(T), “a vent shall be provided on all well caps and seals... A well vent shall be self-draining, screened with a non-corroding mesh screen of fifteen to

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thirty mesh, pointed downward at or above the top of the casing or pitless unit. A vent shall terminate not less than twelve inches above ground surface, and at least twelve inches above the well house floor or concrete apron surface.”

- SWAP – The 1996 Amendments to the Safe Drinking Water Act require Ohio EPA to conduct source water assessments for all public water systems. The assessment of your water system will assist you in identifying the potential threats to your water supply, and help you develop protective strategies for your water supply. These reports contain checklists of protective strategies for contaminant sources identified within the report. The reports also identify the susceptibility of your sources to contamination. A SWAP report was issued to your PWS on December 9, 2003, and identified the susceptibility of your source to contamination as **high**.

Please return the checklist to this office within 45 days of this letter date. Specific questions that you may have about the SWAP report can be answered by contacting Kathy Metropulos at (330) 963-1149.

Please note that Robbie Davis of Davis Water Treatment reviewed this letter with me on March 19, 2008. Yet, we have had no further correspondence since this time. **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