Ohio EPA
40 years and moving forward

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

September 12, 2013

RE: WAYNE COUNTY
LAKE WAPUSUN
NORTH WELL - PWS ID #OH8540712, STU ID #8559698
SOUTH WELL - PWS ID #OH8562712, STU ID #8561770
TRANSIENT, NON-COMMUNITY WATER SYSTEMS

Ms. Lisa Everitt
Lake Wapusun
10787 Molter Rd.
Shreve, OH 44676

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

Dear Ms. Everitt:

This letter is notification that the Lake Wapusun public water systems have not complied with requirements issued during this Agency's last survey performed on May 27, 2013, in violation of rule 3745-81-60 of the Ohio Administrative Code. Lake Wapusun public water systems were notified in correspondence dated July 1, 2013, to respond in writing within 30 days of receipt of your letter, with time frames for the following requirements:

REQUIREMENT(S):

- Yard Hydrants – During the previous survey, we discussed yard hydrant requirements stated in OAC Chapter 3745-99-01. This regulated stated that 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 required you to see if you have yard hydrants with the drip openings. If you have these type of hydrants, they 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-weephole, freeze-proof design. We required that this be initiated as soon as possible, and be completed within five (5) years.

  Since the previous survey was conducted, the regulations regarding yard hydrants have changed. Effective April 19, 2012, OAC 3745-95-09(A) states:

  1. Yard hydrants with weep holes used for human consumption installed on a public water system are prohibited unless the weep holes are sealed.

  2. Yard hydrants with weep holes not used for human consumption installed on a public water system, and those installed on a consumer's water system, shall have an appropriate backflow prevention assembly on the service line to protect the public water system. Yard hydrants with weep holes installed on public water systems shall be clearly labeled as "non-potable" or "not for human consumption."

Since your hydrants are for human consumption, the newer regulations result in no change to your requirements.

In a letter dated March 18, 2009, Lisa Everitt, Class A Operator for the water system, stated that hydrant replacement would be addressed as time permits to replace the hydrants with straight line service.

In violation of this rule, there are many standard yard hydrants (with weepholes) still at your PWS. Five years has passed since the previous survey was conducted. As we understand, some work has been done when a repair is needed. Please inventory the hydrants that will still be required to be replaced and replace them within 1 year of the date of this letter.

- Minimum Staffing Requirements – In accordance with OAC 3745-07-03(C), for a Class A public water system without treatment, "an operator of record shall, at a minimum, be physically present at the public water system and perform technical operation as assigned by the owner of a public water system or their designee" for a minimum of 0.5 hour per week over a minimum of one day.

  Additionally, OAC 3745-07-03(D)(2) states that "daily visits to all public water systems classified in accordance with this rule shall be performed by the owner, supplier, or his representative or agent" during all other times that the water system is in operation and the certified operator is not present.

  Ms. Everitt has a Class A license and is acting as the operator of record. Please note that when the operator of record is absent (due to vacations, sickness, for example), a back-up operator with a Class A or higher license must be available to minimally staff the PWS for 0.5 hour per week over a minimum of one day.

  Please notify this office on your compliance with these regulations.

  Please demonstrate your compliance with this rule by noting in your log book the dates and times your operator and/or other representative is present at your PWS.

- Operation and Maintenance Record-Keeping – In accordance with OAC 3745-07-09(A),

  > "The owner and operator of record of a public water system, treatment works or sewerage system shall maintain or cause to be maintained operation and maintenance records for each public water system, water treatment plant within a public water system, treatment works, or wastewater treatment facility within a treatment works. Some of the formats in which the 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.
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  > 1. The records shall be housed and maintained in such a manner as to be protected from weather damage and guarantee the authenticity and accuracy of the records contained within.
  > 2. The records shall be accessible onsite for twenty-four hour inspection by agency or emergency response personnel.

3. At a minimum, the following information shall be recorded:
    a. Identification of the public water system, sewerage system, or treatment works;
    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 sewage or water conveyed, effluent or water produced;
    d. Results of tests performed and samples taken, unless documented on a laboratory sheet;
    e. Performance of preventative maintenance and repairs or requests for repair of the equipment that affect or have the potential to affect the quality or quantity of sewage or water conveyed, effluent or water produced; and
    f. Identification of the persons making entries."

Please notify this office about how you intend to maintain your records.

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

Beth Madis
Environmental Specialist
Division of Drinking and Ground Waters

BRM/ams

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