



STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020
www.epa.



May 09, 2007

RE: Henry County
The Village of Liberty Center
Community Water System
PWSID#: 3500603

Max Fetterman, Mayor
The Village of Liberty Center
110 East Street
P.O. Box 92
Liberty Center, Ohio 43532

Certified Mail

Dear Mr. Fetterman:

The Village of Liberty Center's (Liberty Center) public water system has violated Ohio's safe drinking water laws. Specifically, Liberty Center has exceeded the total trihalomethanes (TTHM) maximum contaminant level (MCL), fails to have an effective backflow prevention/cross-connection control program, and fails to update their contingency plan annually. In accordance with Ohio Administrative Code (OAC) Rules 3745-81-12(B) and 3745-81-24(C)(14), the MCL for TTHM is 0.080 mg/L. Currently, the running annual average for Liberty Center's public water system is 0.165 mg/L.

Owners or operators of public water systems that fail to comply with Ohio's safe drinking water laws and regulations are subject to civil penalties of up to \$25,000 per day per violation under Ohio Revised Code Section 6109.33.

The Ohio Environmental Protection Agency is aware that Liberty Center's water supplier, the City of Napoleon, has been proactive in seeking a resolution for elevated disinfection byproducts and intends to install treatment by December 31, 2007. To resolve your drinking water violations and avoid possible legal action and civil penalties:

1. Continue to monitor for TTHM with one sample per calendar quarter from the distribution system at a location representing the maximum residence time, in accordance with OAC Rule 3745-81-24(C).
2. By September 1, 2007, Liberty Center will submit an updated contingency plan to the Ohio EPA, Northwest District Office (NWDO), Division of Drinking and Ground Waters, Attn: JoAnn Sabo, 347 North Dunbridge Road, Bowling Green, Ohio, 43402, in accordance with OAC Rule 3745-85-01(E).
3. By October 1, 2007, Liberty Center will have an effective backflow prevention/cross-connection control program by identifying all customers served, installing backflow prevention devices on the connections that require them, and adopting an ordinance for the program, in accordance with OAC Chapter 3745-95.
4. By July 31, 2007, Liberty Center will submit a Distribution System Optimization Plan (DSOP) to Ohio EPA, NWDO, Division of Drinking and Ground Waters, Attn: JoAnn Sabo, 347 North Dunbridge Road, Bowling Green, Ohio, 43402.

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



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5. By July 31, 2007, Liberty Center will submit a revised sample siting plan for total coliform monitoring as well as a monitoring plan for the disinfection byproducts (DBPs).
6. By September 30, 2007, Liberty Center will implement the approved DSOP in accordance with OAC Rule 3745-81-78(G)(2).
7. By December 31, 2008, Liberty Center will be in compliance with the MCL for TTHM in accordance with OAC Rules 3745-81-12 and 3745-81-24(C)(14).
8. Liberty Center shall conduct daily sampling of the chlorine residuals measured at a representative point in the Village of Texas distribution system. The results shall be recorded on additional Monthly Operating Reports (MORs), submitted directly to Ohio EPA, Northwest District Office, until October 31, 2007.
9. In accordance with OAC Rule 3745-83-01, all community water systems shall maintain a minimum chlorine residual of at least 0.2 mg/L free chlorine, or 1.0 mg/L combined chlorine. Daily tests of chlorine residuals, measured at representative points throughout the distribution system, must be conducted to determine if the water received from the City of Napoleon can maintain required chlorine residuals without supplemental chlorination by Liberty Center. Should the MORs show that supplemental chlorination is necessary, Liberty Center will be required to add supplemental chlorination. Should MORs show that the water received from Napoleon can maintain required chlorine residuals without supplemental chlorination by Liberty Center, the items below will be required:
 1. Submit plans for the removal of the chlorination equipment;
 2. Once plans are approved, notify NWDO in writing when equipment has been removed.

Sincerely,



Michael G. Baker, Chief
Division of Drinking and Ground Waters

If it is your intent to comply with the safe drinking water laws and regulations in the manner specified, please sign this document and return it to the attention of Christel Sherron at Ohio EPA, Division of Drinking and Ground Waters, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049, within fourteen (14) days. Your signature is not considered an admission of guilt, only an indication of your intention to address the violations noted. Ohio EPA reserves its right to seek civil penalties pursuant to Revised Code 6109.33 for the violations described in this letter. If you have any questions concerning this letter, please call Christel Sherron at (614) 644-2752.



Max Fetterman, Mayor
Village of Liberty Center

5/23/07
Date



Board of Public Affairs

110 East Street • P.O. Box 92 • Liberty Center, Ohio 43532

MUNICIPAL BUILDING (419) 533-3321

FAX (419) 533-5302

UTILITIES DEPARTMENT (419) 533-5901

FAX TO: Christel Sherran

DATE: 5/24/07

PAGE 1 OF _____

614-644-2909

FROM: Frank Godwin

SUBJECT: _____

BCA agreement

Christel The Mayor was in today
and signed The agreement. I will
mail the original copy Today.

