



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

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

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

February 12, 2007

RE: Henry County
The City of Napoleon
Community Water System
PWSID#: 3500811

Jon Bisher, City Manager
The City of Napoleon
255 Riverview Avenue
P.O. Box 151
Napoleon, Ohio 43545

Dear Mr. Bisher:

Hand Delivery

The City of Napoleon's (Napoleon) public water system has violated Ohio's safe drinking water laws. Specifically, Napoleon has exceeded the total trihalomethanes (TTHM) maximum contaminant level (MCL), and failed to monitor for total organic carbon (TOC). In accordance with Ohio Administrative Code (OAC) Rules 3745-81-12(B) and 3745-81-24(C)(14), the running annual average MCL for TTHM is 0.080 mg/L. Currently, the running annual average for Napoleon's public water system is 0.118 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 Napoleon has been proactive in seeking a resolution for this violation. To resolve your drinking water violations and avoid possible legal action and civil penalties:

1. Monitor and report analytical results for one paired TOC sample and one source water alkalinity sample per month at a time representative of normal operating conditions and influent water quality in accordance with OAC Rule 3745-81-77 (B)(1).
2. 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).
3. By February 28, 2007, Napoleon will advertise to bid the MIEX treatment plant, in accordance with the Director's plan approval. The construction of the MIEX treatment plant will be bid in two phases (the physical building and the MIEX treatment system).


4. By June 1, 2007, Napoleon will begin construction on the treatment building in accordance with the Director's plan approval.
5. By August 31, 2007, Napoleon will begin construction on the MIEX system in accordance with the Director's plan approval.
6. By December 31, 2007, complete construction and initiate operation in accordance with Director's plan approval.
7. No later than twelve (12) months after completion of construction of the MIEX treatment plant, Napoleon will be in compliance with the running annual average MCL for TTHM in accordance with OAC Rules 3745-81-12 and 3745-81-24(C)(14).

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 Marco Deshaies at Ohio EPA, Division of Drinking and Ground Waters, Lazarus Government Center, 50 West Town Street, Suite 700, 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 Marco Deshaies at (614) 644-2761.



Jon Bisher, City Manager
City of Napoleon

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Date