

**Ohio Environmental Protection Agency
DIVISION OF DRINKING AND GROUND WATERS**

**Capability Assurance Strategy Annual Report
State Fiscal Year 2007
October 23, 2007**

This Capability Assurance Strategy Annual Report was prepared by the Ohio Environmental Protection Agency (EPA) in fulfillment of the reporting requirements of the United States Environmental Protection Agency (USEPA) **Guidance on Implementing the Capacity Development Provisions of the Safe Drinking Water Act Amendments of 1996** which requires:

Each year, as a stand-alone submittal or as part of the state's capitalization grant application, the state must provide documentation showing the ongoing implementation of the capacity development strategy.

The report follows the format specified in a memorandum from Cynthia Dougherty, Director, Office of Ground Water and Drinking Water, on June 1, 2005 regarding "Reporting Criteria for Annual State Capacity Development Program Implementation Reports". This report is based on data for State Fiscal Year (SFY) 2007 which covers the period July 1, 2006 through June 30, 2007.

A. New Systems

Ohio's legal authority (statutes/regulations) to implement the New Systems Program has not changed within the previous reporting year. The rules for capability assurance were issued as no change rules in March 2007. They are currently under a five year rule review and will be reexamined during SFY 2008 for additional changes. Changes are not expected for new systems in the rules, but are being considered for existing systems.

There have not been any modifications to Ohio's control points for new systems. Systems continue to need a capability assurance plan approval prior to detail plan approval and start-up of the system.

There were 65 new community and non-transient non-community public water systems activated between July 1, 2004 and June 30, 2007. Appendix A contains a listing of the 65 active systems

Of the 65 systems, ten are considered significant non-compliers (SNCs). This was determined by reviewing the list of significant non-compliers issued by USEPA and deleting all of the systems that received this designation due to an error. We plan to use additional time in October 2007 to further review the remainder to determine if they were activated within the specified time frame, so some of the sixty-five may decrease. If this occurs we will report it in an amended report. Of the ten SNCs, seven systems

failed to complete lead and copper initial tap monitoring, two have total coliform rule violations and one has Stage 1 Disinfection By-Products Rule violations. Two have since returned to compliance.

Capability assurance plans were approved for 5 new public water systems in SFY 2007 (these are systems with plan approval from both SFY 2006 and SFY 2007 who have initiated start-up of their system).

B. Existing System Strategy

Methods Utilized during SFY 2007

The programs, tools and activities Ohio used during SFY 2007 include, in summary, completion of a sanitary survey pilot utilizing more capability related questions and Capability Assurance Evaluation Forms, Compliance and Operational Review Meetings (CORMs), capability assurance requirements in enforcement actions, reminder postcards to public water systems for compliance monitoring, use of a ListServ to communicate information to public water systems and laboratories, targeted systems on the Enforcement "Priority List", offered free training to public water systems and funded a compliance assurance position in our largest district office.

Identification of and Assistance Offerings

Based on the existing systems strategy Ohio has continued to identify systems in need of capacity development assistance by using a multi-tiered approach. One priority is to track and enforce regulatory requirements resulting from sanitary surveys. During SFY 2005, the state established new criteria to determine systems most in need of improving technical, managerial and financial capacity through the sanitary survey process. The capability indicators are reviewed at the conclusion of the sanitary survey by completing the Capability Assurance Evaluation Form. The new sanitary survey process was piloted during SFY 2006 and 2007 and included the Capability Assurance Evaluation Form. Full implementation of the new sanitary survey process started in July 2007 and all community and non-transient non-community systems greater than 250 population will have an evaluation form completed at the time of their sanitary survey. Capability Assurance Evaluation Forms were completed for seventy-two systems during SFY 2007. Ten of the seventy-two systems identified capability assurance concerns. Some of these systems had a CORM, which is a meeting that includes the sanitary survey officer, Ohio EPA supervisor/manager, water system operator, water systems mayor and/or council to discuss compliance and operational (capability) issues with the system and discussing a schedule for resolution prior to enforcement.

Significant Non-Compliers (SNCs), as defined in USEPA guidance, are targeted for improving technical, managerial and financial capability. During SFY07, six enforcement actions included capability assurance requirements such as hiring a certified operator or contract lab, system consolidation, and attending technical, managerial and financial training.

Ohio also has identified systems in need of improving capacity through our drinking water enforcement priorities list that is compiled quarterly. The list identifies all of the systems that will potentially be in noncompliance due to new rules. We have identified these systems and have offered further technical assistance through letters, phone calls and site visits to encourage any capital improvements (mostly treatment changes) needed to comply with the new rules, and sustain and further the system's capability. At the beginning of SFY 2007, 140 systems were considered a priority. Eighty-four systems, which correspond to 60.0%, returned to compliance and were removed from the priority list by the end of SFY 2007. Ohio is encouraging the systems to be proactive by making the necessary changes prior to new rule levels becoming effective.

Another measure Ohio has taken to prioritize and improve existing system capacity is sending reminder postcards to systems that are near the end of the monitoring period and have not monitored. During SFY 2007, Ohio EPA sent reminder postcards for nitrate, nitrite, total coliform bacteria, radium, volatile organic compounds, synthetic organic chemicals and inorganics statewide to systems that had not completed monitoring when there was one month remaining in the monitoring period. During SFY 2007, 6,098 total coliform bacteria reminder postcards were sent to systems that had not monitored yet during the reporting period. Of the 6,098 postcards sent to transient non-communities to remind them to take a total coliform bacteria sample, 4,983 systems completed their monitoring. Therefore, there were only 1,115 monitoring violations which corresponds to 18% of systems. As stated above, postcards were also sent for other contaminants in our chemical/radiological program. There were 4,940 postcards sent to all public water systems that had not yet completed monitoring during the reporting period for chemical/radiological parameters. Of the postcards sent, 4,114 systems monitored. Therefore, only 826 systems received monitoring and reporting violations which corresponds to 17% of systems. The benefit for capacity assurance is two fold with this newer program. One, it speaks specifically to the managerial capacity of the system. We are providing the systems with a specific tool to better manage their public water system. Secondly, if a system that typically does not monitor, does monitors for the contaminant and a maximum contaminant level is found, it gives Ohio EPA the ability to work with the system to improve the technical capacity of the system. Overall this action has increased the overall compliance of public water systems in Ohio. Please see Ohio's 2006 Annual Compliance Report on our website at <http://www.epa.state.oh.us/ddagw/annualreports.html> for more information.

An additional form of communication which encourages compliance and furthers system capability is the electronic service (ListServ) communication tool the drinking water program is currently using. The five electronic mailing lists being used by Ohio EPA, DDAGW are for operator certification with 193 subscribers, drinking water assistance fund with 76 subscribers, compliance with 235 subscribers, rules update with 680 subscribers and LT2/Stage 2 with 103 subscribers. The electronic mailing lists provide systems and laboratories with quick and timely updates on drinking water monitoring and compliance issues, federal and state drinking water rule making, operator certification information, state revolving fund information and Stage 2 Disinfectants and

Disinfection Byproducts Rule (Stage 2) and the Long Term 2 Enhanced Surface Water Treatment Rule (LT2).

During SFY 2007, Ohio funded three courses called "Small Systems Utility Board Training for Local Officials", "Financial Management for Local Officials" and "Asset Management for Local Officials" that were held by Ohio Rural Communities Assistance Program (RCAP). These free one-day courses were targeted to board members, mayors, water system superintendents and operators. The first course includes an overview of the three capacity components; managerial, technical and financial. The second course focuses more specifically on financial management of a public water system. The third course focuses on the theory of asset management, budgeting and rate setting. A brochure was sent to all community public water systems less than 10,000 population announcing each course. Sixteen training sessions were held statewide with 564 people in attendance from 332 systems. This type of outreach and education is something that is important in our current existing system strategy to educate existing systems and increase their capability.

During SFY 2007, Ohio also worked in conjunction with U.S. EPA to sponsor a workshop for systems on Stage 2 Rules and implementation. Eighty-four systems attended the workshop.

During SFY 2007, Ohio continued a technical assistance position at the Northeast District Office to identify and assist small systems with compliance and capacity related issues that began in SFY 2004. Northeast District Office was chosen because it has the most public water systems of all the districts and many small systems with lower compliance rates. Ohio EPA felt that many of the systems would benefit from extra attention in the form of technical assistance to encourage capacity and compliance. The systems with total coliform violations that include boil advisories were a high priority for this technical assistance position. Systems with boil advisories that last more than eight weeks were targeted because it was assumed that the system did not have the capacity to rectify the advisory after that length of time. The technical assistance person visited the system to get a better understanding of what issues were involved and discuss what measures had been taken to date to clear the boil advisory. As a result of the technical assistance, systems typically cleaned or replaced a well or tank, flushed lines or changed their treatment. Often times the very small systems do not have the means to assess the situation to make necessary changes and cannot afford to hire an engineer. Ohio has found this position has been effective in identifying and assisting the very small systems with capacity and compliance issues. This position was vacated during SFY 2007 and Ohio is determining how the position will be reposted.

Ohio is planning diligently for upcoming changes that effect how Ohio uses capacity in our everyday dealings with public water systems. During SFY 2007, two workgroups worked on capability related improvements. The Information Exchange and Enhancement Workgroup (aka Sanitary Survey Workgroup) finished piloting a new sanitary survey process which includes more capability related questions for public water systems. The Operator Certification Stakeholder's Workgroup has worked

together for the past three years in developing, proposing and finalizing revised rules that will affect all operators in Ohio by clarifying minimum staffing requirements, duties and responsibilities of an operator and establishing facility classification by rule. Ohio EPA believes maintaining an appropriately certified operator at public water systems is an important part of the state's capacity development program. The rules were finalized and implemented on December 21, 2006. The Stakeholder's Workgroup will continue to meet as needed to discuss any implementation issues that arise. Both of the workgroups have worked diligently during SFY 2007 to make changes in Ohio's internal and external processes which will effect and further encourage a stronger commitment to capacity development. In addition to the two workgroups, our Information Management Section has been heavily involved in development and implementation of a new web based reporting application to be implemented during SFY 2008. The new reporting application is a part of the new eBusiness Center that will lead to more efficient exchange of information between water systems and the state agency. Lastly, Ohio has implemented new positions in each district office called District Office Compliance Coordinators, or DOCCs. These individuals work as a lead worker or supervisor at the district level and come together at regularly scheduled meetings to improve statewide consistency issues and business processes in an effort to increase capability and compliance of drinking water systems statewide.

During SFY 2007, Ohio held three Drinking Water Advisory Committee (DWAC) Meetings. The DWAC was formed to help strengthen the division's drinking and ground waters programs through valuable and independent input from stakeholders. The stakeholder group is comprised of members from Association of Ohio Health Commissioners, Consulting Engineers Council of Ohio, County Commissioners Association of Ohio, County Engineers Association of Ohio, Great Lakes Rural Community Assistance Program, Ohio American Water Works Association, Ohio Campground Owners Association, Ohio Chamber of Commerce, Ohio Department of Development, Ohio Electric Utilities Institute, Ohio Homebuilders Association, Ohio Manufactured Homes Association, Ohio Municipal League, Ohio Public Works Commission, Ohio Rural Water Association, Ohio Water Development Authority, Operator Training Committee of Ohio, Inc., Public Utilities Commission of Ohio, and The Ohio Environmental Council. The DWAC members represent a balanced, cross-section of civic and environmental groups that have an interest in drinking water programs and issues. The group focuses on three key areas:

- providing input on rule development,
- assessing and recommending improvements to new and existing programs,
- identifying funding alternatives to address state and local funding needs.

DWAC gives Ohio the opportunity to enhance communication with organizations that represent the regulated community. The systems have more information about our intended changes for the drinking water program and are given an opportunity to provide input. This gives Ohio EPA a better chance of gaining buy-in from the communities which should lead to greater compliance and more capable systems.

Capability Assurance Plans are required for all new community and non-transient non-community public water systems, as well as for all Water Supply Revolving Loan Account (WSRLA) design and construction loan awardees. Twenty-eight WSRLA loans were issued in SFY 2007; all of these had approved capability assurance plans. Capability assurance plans for systems less than 10,000 population can be completed with assistance from Ohio RCAP free of charge to the public water system.

Ohio has also drafted revised rules that include requiring existing systems to complete part or all of a Capability Assurance Plan (CAP) when a specific amount of financial, managerial and technical deficiencies are determined utilizing the Capability Assurance Evaluation Form. The new requirements for existing systems will tie into the new sanitary survey process. As discussed above, the Capability Assurance Evaluation Forms were completed as a part of piloting the new sanitary survey process. Piloting and staff education continued during SFY 2007 and the new process has begun full implementation during SFY 2008. The draft rules will be reviewed as a part of our program and process evaluation during SFY 2008 to determine an appropriate time line for the rule changes.

Strategy Implementation Review

Ohio is constantly reviewing and making minor revisions to accomplish greater capacity assurance in Ohio's public water systems. It is not a formal review; however initiatives for working better with existing systems to encourage compliance and capability are never far from our mind. The deterrent to making more changes to our program is lack of funding. We are currently optimizing our program by adding initiatives that are low cost to implement.

Strategy Modifications

The addition of the Capability Assurance Evaluation Forms, capability assurance questions to the sanitary survey and the CORM are new initiatives in the existing strategy. Other strategies including education and technical assistance have always existed but initiation of additional/different activities occurred during SFY 2007 as stated in previous sections.

Conclusion

Ohio continues to take a proactive stance in assuring system capability. We continue to work with new systems, systems receiving a WSRLA loan and existing systems having capability related issues. We are always interested in exploring new initiatives that will increase the capability of the public water systems in Ohio utilizing our available resources. If you should have any further questions about Ohio's capability assurance program, have suggestions for improvement to our program, please contact Stacy Barna at (614) 644-2914.

New Systems 7/1/06-6/30/07		PWS ID	PWS Name	PWS Type	PWS Addition Date	County	District	SNC	Contaminant	RTC
		3849112	Valley View Oak LLC PWS	NTNC	7/12/2004 15:18	Holmes	NEDO	Y	Stage 1	Yes
		7674312	Custom Poly Bag Inc PWS	NTNC	7/14/2004 9:07	Stark	NEDO			
		5553012	First Baptist Church of Covington PWS	NTNC	8/27/2004 9:05	Miami	SWDO	Y	Lead	
		7056312	Hunter Protective Systems PWS	NTNC	10/5/2004 8:50	Richland	NWDO			
		1565212	Knox Elementary West Branch PWS	NTNC	10/6/2004 13:55	Columbiana	NEDO			
		7729912	Riverside Alliance Church PWS	NTNC	10/6/2004 14:22	Summit	NEDO	Y	Lead	Yes
		7700001	Clinton Machine PWS	NTNC	2/7/2005 12:38	Summit	NEDO	Y	Lead	
		7674712	Warstler Brothers Landscaping Inc PWS	NTNC	2/28/2005 12:24	Stark	NEDO			
		5441612	Maplewood of Shanes Village PWS	NTNC	3/21/2005 12:33	Mercer	NWDO			
		2873912	ICASI Culinary School PWS	NTNC	3/23/2005 8:05	Geauga	NEDO			
		6542712	Westfall Middle School & High School PWS	NTNC	4/22/2005 8:51	Pickaway	CDO			
		7675112	Miller Weld Master PWS	NTNC	4/29/2005 9:15	Stark	NEDO	Y	TCR	Enf.
		3439212	CAM Ohio LLC PWS	NTNC	6/8/2005 9:19	Harrison	SEDO			
		2558012	Northwest Chapel PWS	NTNC	6/30/2005 14:11	Franklin	CDO			
		5054112	Damascus Elementary PWS	NTNC	7/26/2005 9:04	Mahoning	NEDO			
		2874112	Peace Lutheran Church PWS	NTNC	7/26/2005 10:07	Geauga	NEDO			
		2874612	Claridon Plaza PWS	NTNC	8/29/2005 12:39	Geauga	NEDO	Y	Lead	
		7949612	NewPointe Community Church PWS	NTNC	10/7/2005 8:50	Tuscarawas	SEDO			
		2552712	Southwest Grace Brethren Church PWS	NTNC	10/13/2005 8:16	Franklin	CDO			
		7700005	Vizmeg Landscape Inc PWS	NTNC	10/19/2005 9:53	Summit	NEDO			
		2351212	Company Wrench PWS	NTNC	10/31/2005 8:37	Fairfield	CDO			
		7949712	Progressive Foam Technologies PWS	NTNC	12/28/2005 12:25	Tuscarawas	SEDO			
		3849512	Holmes-Wayne Electric Cooperative Inc PWS	NTNC	1/20/2006 8:39	Holmes	NEDO			
		939612	Advanced Drainage Systems PWS	NTNC	2/8/2006 8:35	Butler	SWDO			
		3848012	3M Associates LTD OFFICE PWS	NTNC	3/6/2006 13:52	Holmes	NEDO	Y	TCR	
		5553512	David L Brown Youth Center PWS	NTNC	4/7/2006 13:35	Miami	SWDO			
		4651412	NK Parts Industries Inc PWS	NTNC	4/7/2006 14:44	Logan	SWDO			
		2565912	The Golf Club PWS	NTNC	5/24/2006 10:25	Franklin	CDO			
		8563412	Jilco Industries/Preferred Airparts PWS	NTNC	8/7/2006 9:08	Wayne	NEDO			
		8563512	Eastwood Manufacturing PWS	NTNC	8/7/2006 10:11	Wayne	NEDO			
		8563612	Pioneer Equipment PWS	NTNC	8/7/2006 12:22	Wayne	NEDO			
		254312	Proctor & Gamble PWS	NTNC	8/9/2006 7:05	Allen	NWDO			
		8563812	Campbell Oil Office Bldg PWS	NTNC	10/6/2006 11:13	Wayne	NEDO			
		2958212	Plasco Inc PWS	NTNC	11/20/2006 12:02	Greene	SWDO			
		7855112	Hopewell Inn PWS	NTNC	12/27/2006 13:11	Trumbull	NEDO			

PWS ID	New Systems 7/1/06-6/30/07		PWS Type	PWS Addition Date	County	District	SNC	Contaminant	RTC
	PWS Name								
1638412	Coshocton Ethanol LLC PWS		NTNC	1/19/2007 12:30	Coshocton	SEDO			
7675912	Kids Country PWS		NTNC	2/8/2007 14:26	Stark	NEDO			
8559412	G & S Titanium PWS		NTNC	2/12/2007 8:20	Wayne	NEDO			
3849712	Wayne Dalton Door & Systems Inc PWS		NTNC	3/5/2007 9:12	Holmes	NEDO			
7700013	Mid States Express PWS		NTNC	3/8/2007 12:46	Summit	NEDO			
1251812	Tecumseh Schools Main Campus PWS		NTNC	3/14/2007 12:33	Clark	SWDO			
1251912	Donnelsville Elementary Campus PWS		NTNC	3/14/2007 13:28	Clark	SWDO			
6259812	African Safari Wildlife Park Administration PWS		NTNC	3/14/2007 15:19	Ottawa	NWDO			
2566012	The Golf Club Greens Department PWS		NTNC	3/19/2007 12:59	Franklin	CDO			
8841612	Island View Campground PWS		NTNC	3/23/2007 10:46	Wyandot	NWDO			
1565712	The Wellsville Foundry Inc PWS		NTNC	4/19/2007 8:42	Columbiana	NEDO			
7855312	Performix Technologies PWS		NTNC	4/27/2007 7:32	Trumbull	NEDO			
8641812	Tru Fast LLC PWS		NTNC	5/1/2007 8:16	Williams	NWDO			
3849812	Keim Lumber Inc PWS2		NTNC	5/2/2007 7:42	Holmes	NEDO			
5260712	Medina County Southern Water District PWS		Comm	6/20/2007 9:38	Medina	NEDO			
5553612	NAWA PWS		Comm	3/23/2007 9:44	Miami	SWDO			
8236512	Vinton County Water Co PWS		Comm	2/27/2007 7:05	Vinton	SEDO			
7700009	Hunt Club Apartments PWS		Comm	9/11/2006 12:50	Summit	NEDO			
1330912	New Richmond Robin-Grays PWS		Comm	8/30/2006 14:07	Clermont	SWDO			
5749812	City of Clayton PWS		Comm	7/21/2006 10:37	Montgomery	SWDO			
4102212	Lake Lodge Mobile Home Village PWS		Comm	5/23/2006 11:15	Jefferson	SEDO			
2201703	Erie County Water Vermilion West District PWS		Comm	2/9/2006 8:18	Erie	NWDO			
7700006	Delta 77 Apartments PWS		Comm	1/6/2006 10:38	Summit	NEDO			
5054212	Jackson/Milton Service Area PWS		Comm	8/3/2005 12:54	Mahoning	NEDO			
530912	Bishopville Water & Sewer Dist 3 PWS		Comm	4/18/2005 7:28	Athens	SEDO	Y	Lead	
530812	Bishopville Water & Sewer Dist 2 PWS		Comm	4/18/2005 7:16	Athens	SEDO	Y	Lead	
1841012	Columbia Park Water System (MHP) PWS		Comm	3/4/2005 11:33	Cuyahoga	NEDO			
3101312	Lotton Mobile Home Park		Comm	11/9/2004 14:34	Hamilton	SWDO			
8562512	Heritage Green Condo Assoc		Comm	8/11/2004 13:06	Wayne	NEDO			
7674412	DeVille Apartments		Comm	8/9/2004 12:53	Stark	NEDO	Y	Lead	