



December 17, 2024

**TRANSMITTED ELECTRONICALLY**

**NOTICE OF VIOLATION – ACTION REQUIRED**

The Honorable Robert DeLong  
Malvern Village  
410 North Carrollton Street  
P.O. Box 844  
Malvern, Ohio 44644

RE: Malvern Village PWS  
Notice of Violation (NOV)  
Drinking Water Program  
Carroll County  
PWS ID# OH1000112

**SUBJECT: Failure to Correct Sanitary Survey Significant Deficiency**

Dear Mayor DeLong:

This letter is notification that the Malvern Village Public Water System (PWS) has not complied with the requirements issued on March 18, 2022. The Malvern Village PWS was notified in correspondence dated March 18, 2022, of the requirement to respond in writing within 30 days, with a schedule to complete corrective actions within 120 days or as issued by the director. The Malvern Village PWS has failed to comply with this requirement to make corrections in its operation.

The Malvern Village PWS is in violation of treatment technique requirements for a significant deficiency by the Ohio Administrative Code (OAC), Rule 3745-81-60, as noted in the letter dated March 18, 2022. The Malvern Village PWS did not provide a schedule for or correct the significant deficiency identified which was the failure to develop and implement a valve exercising program.

**IMMEDIATE ACTION REQUIRED:**

1. Consult with Ohio EPA within **24 hours** regarding the items listed below.
  - Management and Operation: Valve Exercise Program – In accordance with OAC Chapter 3745-83-01(H)(1-2), “The owner and operator shall ensure that all facilities and equipment necessary for the treatment and distribution of water shall be maintained, at a minimum so as to function as intended. In the event that the treatment facilities or

equipment no longer function as intended, corrective action (which may include additional maintenance or modifications of the public water system) shall be taken by the owner.”

During the 2022 sanitary survey, no written documentation of the valve exercise program was available. In addition, it was discussed that a significant number of valves are inoperable condition. Exercising of valves helps ensure the valves are functional and reliable during times of need, which generally occurs during emergency situations. Critical valves must be exercised annually in order to ensure they function as intended.

2. **Notify the people served by this water system.** Within 30 days, issue the enclosed public notice in accordance with OAC, Rule 3745-81-32 by the following method(s) to reach all persons served.

- Mail or other direct delivery to each customer;
- If necessary to reach all persons regularly served, use other notification methods also, such as newspaper publication, public posting or Internet posting;
- Posted notices must remain in place for as long as the violation exists, but in no case for less than seven days (even if the violation is resolved). The language in the italics on the enclosed public notice is mandatory and must be included, as written. Do not make changes to the public notice without consulting the Ohio EPA beforehand.

NOTE: Issuance of a Public Notice must be repeated every three (3) months for as long as the violation exists, unless directed otherwise by the District Office. A verification form and a copy of the public notice, stating the corrective measures completed to date, must be submitted to the Ohio EPA.

3. Complete the enclosed verification form, **within 10 days of issuing the Public Notice** and mail it to Ohio EPA, Northeast District Office, Division of Drinking and Ground Waters, 2110 East Aurora Rd, Twinsburg, Ohio 44087. Include a copy of each notice distributed, published or posted.
4. Contact Ohio EPA – A responsible official of the public water supply shall contact the Northeast District Office in writing by 14 DAYS FROM DATE OF LETTER, or **December 31, 2025**, to address the Malvern Village PWS actions required by your significant deficiency requirements stated in the Sanitary Survey Letter dated March 18, 2022. Failure to respond may result in enforcement action that can result in fines up to \$25,000 dollars per day.

5. The following statement describing the significant deficiency information must be included in the CCR every year until it has been corrected.

*We were informed by the Ohio EPA that a significant deficiency for failure to maintain a valve exercising program had been identified on March 18, 2022. We were directed to correct the deficiency, but we failed to do so. We {are implementing/have completed} the corrective action plan which is developing and implementing a valve exercising program by {deadline} as prescribed by the Ohio EPA.*

If you have any questions regarding this letter, or any other matter involving your water system, please feel free to contact me by email at [Laurel.Ljubi@epa.ohio.gov](mailto:Laurel.Ljubi@epa.ohio.gov), or by phone at (330) 963-1182.

Sincerely,

*Laurel Ljubi*

Laurel Ljubi  
Environmental Specialist  
Division of Drinking and Ground Waters

LL/hg

Attachments: Public Notification  
Public Notice Instructions and Verification Form

cc: Carroll County Health Dept.  
Allen Tyler, Supervisor, DDAGW-NEDO  
Aaron Mueller, Manager, DDAGW-NEDO  
Chelsea Abraham, DDAGW-NEDO  
Todd Fisher, DOCC, DDAGW-NEDO  
Derik Kaltenbaugh, Village Administrator  
Derik Kaltenbaugh, Operator  
Barb Burgess Council President  
Teri Foster, Administrative Assistant

## DRINKING WATER NOTICE

### Malvern Village PWS

#### Significant Deficiency/Treatment Technique Requirements

The Ohio EPA identified, through the sanitary site visit on February 16, 2022, a significant deficiency associated with the water distribution system. The Malvern Village PWS did not provide a schedule for or correct the significant deficiency identified which was the failure to develop and implement a valve exercising program.

#### What should I do?

- **There is nothing for you to do at this time.**

#### What does this mean?

- This situation does not require that you take immediate action. If it had been, you would have been notified immediately.

#### What happened? What is being done?

- We are investigating and taking the necessary steps to correct the problem as soon as possible.

For more information, please contact [Derik Kaltenbaugh](#) at [330-863-1316](#) and/or

<b>name of contact</b>	<b>phone number</b>
<a href="#">116 W. Main St. PO Box 384, Malvern, Ohio 44644</a>	
<b>mailing address</b>	

General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1(800) 426-4791.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

PWSID#: OH1000112\_ Date distributed: [12/20/2024](#)

Tier 2: Treatment Technique Violation (Significant Deficiency type 45/FC)

**PUBLIC NOTICE INSTRUCTIONS AND VERIFICATION FORM FOR  
PUBLIC WATER SYSTEMS WITH TIER 2 VIOLATIONS**

The owner or operator of a public water system with a Tier 2 violation or situation shall notify the persons served by the public water system as soon as practical but **no later than 30 days** after the system learns of the violation. Public notice shall be repeated every 3 months as long as the violation or situation persists.

I HEREBY CERTIFY THAT THE PUBLIC WAS NOTIFIED BY THE FOLLOWING METHOD(S) INDICATED BELOW, AS DESCRIBED IN THE OHIO ADMINISTRATIVE CODE RULE 3745-81-32:

Required Method of Public Notification	Actual Method of Public Notification
<b>COMMUNITY WATER SYSTEMS –</b> 1. Must issue public notice by mail or other direct delivery to each customer and service connection (where known). 2. May also post in conspicuous locations throughout the distribution system (must remain posted for as long as the violation exists, but at least 7 days).	1. Date of mailing/delivery 2.A. Dates of posting 2.B. Locations of posting
<b>NONCOMMUNITY WATER SYSTEMS –</b> <b>Use one or more of the following:</b> 1. Public notice issued by posting in conspicuous locations throughout the distribution system (required to remain posted for as long as the violation exists, but in no case less than 7 days). 2. Public notice issued by mail or other direct delivery to each customer and service connection (where known).	<b>Describe actual methods used:</b> 1.A. Dates of posting 1.B. Locations of posting 2. Date of mailing/delivery
<b>Schools and Day-Care Facilities</b> must notify parents or guardians of children being served by methods <u>besides</u> posting, such as a newsletter, e-mail notice, or direct mailing	A. Method(s) B. Date(s)
<b>ALL SYSTEMS –</b> <b>If the above methods do not reach all persons served,</b> also use any other method calculated to reach other persons served by the system (e.g. publication in a local newspaper or newsletter, use of e-mail to notify employees or students, or delivery of multiple copies to central locations).	A. Method(s) B. Date(s)

**Please check if the public notice used was provided by Ohio EPA (other side of this form) or another acceptable notice was used:**

- ☒ A public notice as shown on the other side of this sheet was issued without changes.  
☐ A different public notice was issued. **INCLUDE A COPY OF THE PUBLIC NOTICE.**

\_\_\_\_\_  
 Signature of Responsible Official      Date

\_\_\_\_\_  
 Printed Name and Title of Responsible Official

PWS NAME: Malvern Village PWS  
 PWS #: OH1000112  
 COUNTY: Carroll County

For Ohio EPA use only: Violation Number: 45/FC

Date PN received: \_\_\_\_\_