



Enforcement: Notices of Violation

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Ohio Department of Health

Notices of Violation

When Should a Notice of Violation (NOV) be issued?

- 1) Construction violations observed in field
- 2) Construction violations found on paperwork
- 3) Non-submittal of Paperwork
- 4) Late Paperwork

Notices of Violation

When Should a Notice of Violation (NOV) be copied to ODH ?

- 1) After the Local Health Department (LHD) issues the first NOV ...And...
- 2) Fails to obtain compliance in allotted time-frame
- 3) The LDH second NOV is copied to ODH

Notices of Violation

7 Components of Properly Written NOV

- 1) PWS Contractor Information
- 2) Observed Violation
- 3) Rule Code being Violated
- 4) Corrective Action Needed
- 5) Date Correction Must Be Accomplished
- 6) Send Copy to Property Owner
- 7) Send Copy to ODH (second notification)

Notices of Violation

1. Private Water System Contactor Information

- PWS Contractor's Legal Company Name (as listed on ODH website)
- Private Water System Contractor ODH Registration Number (i.e. #3799)
- Reg No. important because individuals of same family sometimes have their own businesses.
- Plumbers sometimes use their license number

Notices of Violation

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Ohio
Department of Health

WHO WE ARE ABOUT US KNOW OUR PROGRAMS HEALTH RULES LAWS & FORMS EXPLORE DATA & STATS FIND LOCAL HEALTH DISTRICT

A→Z INDEX ? Q

FORMS RESET


INFORMATION FOR HOMEOWNERS

INFORMATION FOR CONTRACTORS

INFORMATION FOR LHDS

WATER QUALITY/TREATMENT


RESOURCES AND



Forms for Local Health Districts

The following forms are to be used and distributed by the local health district to administer the private water


PRIVATE WATER SYS... SHARE



Lists of Registered PWS Contractors,

This page contains the lists of the currently registered private water systems contractors and water haulers in the State of

PRIVATE WATER SYS... SHARE



Private Water Systems Rules

This page will guide you to rules and laws that regulate Private Water Systems in the State of Ohio.

PRIVATE WATER SYS... SHARE

Notices of Violation

Lists of Registered PWS Contractors, Water Haulers, and Certified Laboratories

July 31, 2018 | [ODH](#)

Registered Private Water Systems Contractors ^

Anyone in the business of working on private water systems in Ohio must register with ODH as a Private Water Systems Contractor. Homeowners, who wish to construct, alter or seal their private water systems on their primary or secondary property, are required to register (without the bonding requirement) as of April 1, 2011. Click on the links to the left for more information.

The lists of registered private water systems contractors can be found using the links below. The list is regularly updated, so please check back if you cannot find a contractor listed or call the private water systems program at 614-644-7558.

- [2019 Registered Private Water Systems Contractors, Ohio](#)
- [2019 Registered Private Water Systems Contractors, Out of State](#)

Notices of Violation

2. Observed Violation

- Late Paperwork Submission (Completion Forms / Well Logs / Sealing Reports)
- Missing Paperwork
- Construction Violations observed in field
- Construction Violations observed from reviewing submitted paperwork

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3. Rule Code Being Violated

- Common Construction Violations Observed in the Field
 - Well Caps/Conduit Sealing
 - Sample Taps – missing or wrong type
 - Hydrant (not on site plan) shows up, no backflow
 - No pressure relief valve on pressure tank

Notices of Violation

3. Rule Code Being Violated

- Common Construction Violations Observed After Review of Paperwork Submission
 - Wrong type of pipe installed (interior/exterior)
 - Insufficient documentation of piping materials (Completion form states: “Yes” or “Same”)
 - Grouting Issues
 - Didn’t document screen/filter pack installation

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3. Rule Code Being Violated

- Cite the appropriate section of the rules
- **Example-** If a contractor started constructing a system without first obtaining a permit:

OAC 3701-28-03(A) states that no person shall construct a private water system unless a valid permit for the system has been issued by the board of health.

Notices of Violation

4. Identify Correction Action Needed

- Corrective actions should be specific to the rule(s) violation(s).

Notices of Violation

- **4. Identify Corrective Action Needed**
- **Example – Cable tool driller, new well drilled**
 - Bedrock hit 10ft below ground surface
 - Used 5” casing, dry-driven grout method
 - Did not construct oversized borehole
 - Did not have an annular space to grout for a minimum of 25ft below ground surface

Notices of Violation

- **4. Identify Corrective Action Needed**
- **Required Corrective Action:**
 - The requirement is to have an oversized borehole and grout the annular space for a minimum of the first 25ft below ground surface
 - PWS Contractor has options...
 - Bring into compliance **OR** seal and drill new well

Notices of Violation

5. Date Correction Must Be Accomplished

- A compliance date must be set by LHD.
- Provide reasonable time frame to correct.
- Keep track of compliance date.
- If compliance not achieved by the date set by LDH, a second NOV must be sent with a new compliance date.

Notices of Violation

5. Date Correction Must Be Accomplished

Example: “You are required to secure an appropriate well cap as specified in OAC 3701-28-10(Q) within two weeks of the date of this letter.”

Notices of Violation

6. Copied to Property Owner

- Property Owner needs to be notified via postal mail or email
- Keep hard copy in file
- Important in the event it leads to a bond claim

Notices of Violation

7. Copied to ODH

- LDH do not need to notify ODH of first NOV.
- If compliance is not achieved by date specified on LHD's first NOV, send a second NOV with new compliance date.
- Send both copies to ODH.
- ODH will send out its own NOV to contractor, property owner and LDH.

Sample: Notice of Violation

ABC LOCAL HEALTH DEPARTMENT
1234 Main St.
Columbus, OH 43215

March 13, 2019

Parker & Son's Well Drilling (Registration # 3955)
555 Park St.
Columbus, OH 43215

RE: Notice of Violation for PWS at 5588 Smith-Jones Rd, Mayberry, OH

Dear Mr. Parker:

You are receiving this notice of violation (NOV) letter due to the work you performed at 5588 Smith-Jones Rd, Mayberry, OH. There are three violations concerning the permit for this address:

- 1) Late well log – You submitted well log #345678 to our office on March 7, 2019, however, you constructed the well on January 4, 2019. Ohio Administrative Code (OAC) 3701-28-03(Q) requires that the well log be submitted to the local health department, private water system owner and Ohio Department of Natural resources within 30 days of having completed the well. In the future, you must ensure that the well log is submitted to our office within the required 30-day timeframe.
- 2) Non-compliant well cap – During the final inspection on March 10, 2019, a non-vented well cap was observed unsecured on top of the casing. OAC 3701-28-10(Q) requires the installation of a secured, insect-proof well cap that is vented to the atmosphere. You must install and secure an insect proof, vented well cap within two weeks from the date of this letter.
- 3) No sample tap installed – During the final inspection on March 10, 2019, it was observed that there was no sample faucet installed. OAC 3701-28-08(F) specifies the requirements for compliant sample faucet and its placement. You must properly install a compliant sample faucet within two weeks from the date of this letter.

Once you have corrected the well cap and sample tap violations, within the two-week timeframe specified above, contact this office so that a water sample can be collected. If you have any questions, please contact me at 614-555-9999.

Sincerely,

Larry CableGuy, RS
ABC Local Health Department

Sample: Notice of Violation

ABC LOCAL HEALTH DEPARTMENT
1234 Main St.
Columbus, OH 42315

March 13, 2019

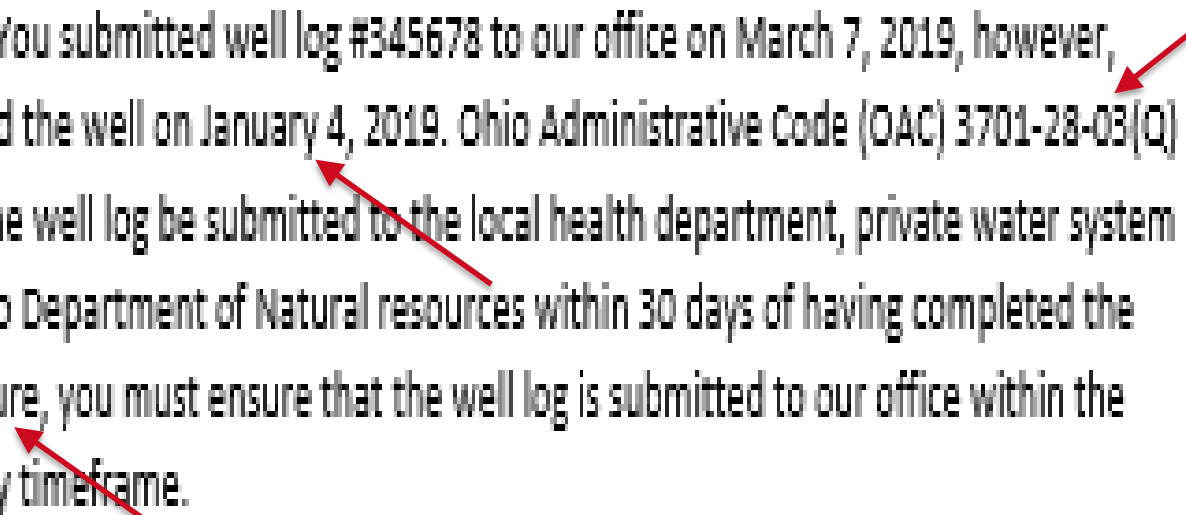
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Sample: Notice of Violation

- 2) Non-compliant well cap – During the final inspection on March 10, 2019, a non-vented well cap was observed unsecured on top of the casing. OAC 3701-28-10(Q) requires the installation of a secured, insect-proof well cap that is vented to the atmosphere. You must install and secure an insect proof, vented well cap within two weeks from the date of this letter.
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Sample: Notice of Violation

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Sincerely,

Larry CableGuy, RS
~~XXXXXXXXXX~~
ABC Local Health Department

CC: Mrs. Dolly Madison, 5588 Smith-Jones Rd, Mayberry, OH

*Ohio Department of Health, BEHRP (only copy ODH if you need to issue a second NOV for non-compliance)



FIELD VIOLATIONS

Violation: Well Cap & Distance?



Violations – Distance?



Distance Violation: Not 10ft



Potential Violation



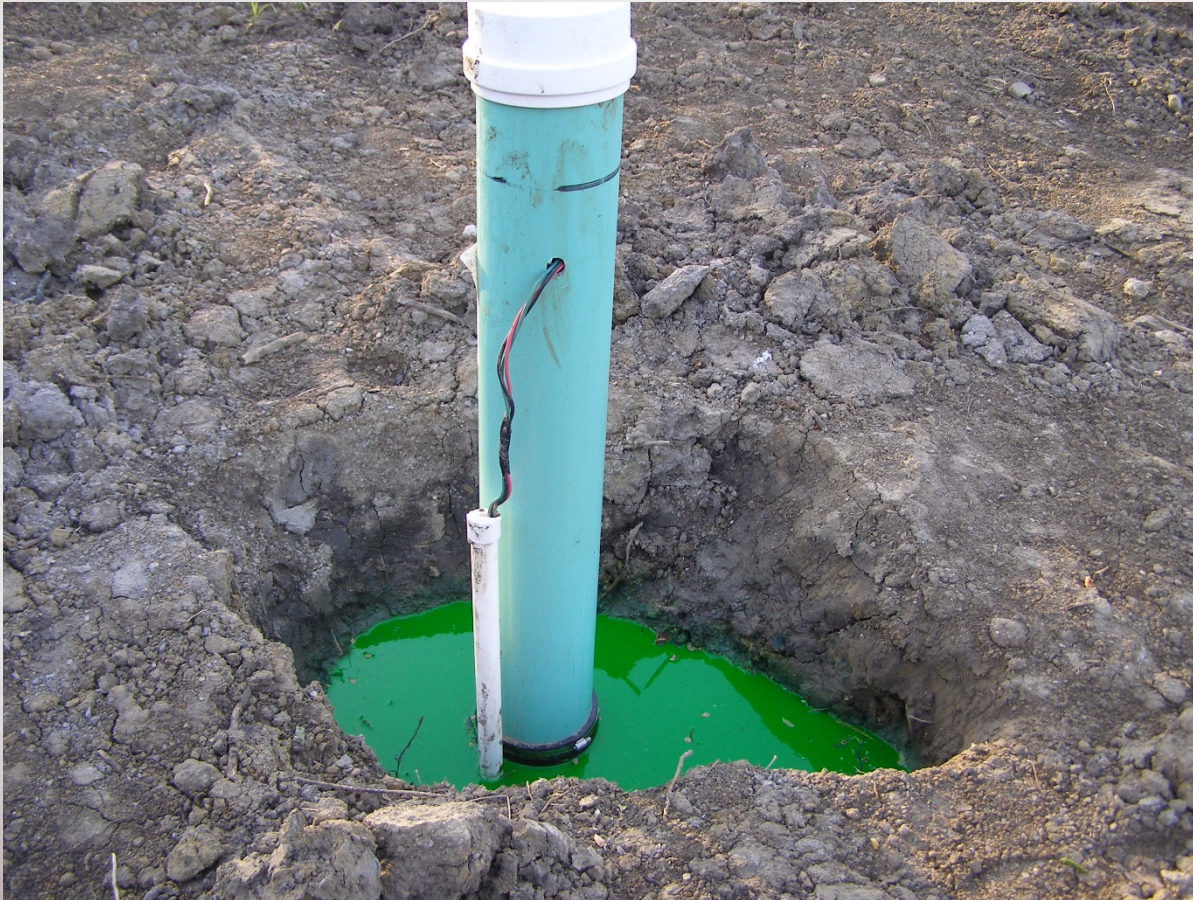
Hydrant backflow? / Oil Tanks



Conduit Connection/ Well Cap



Violations?



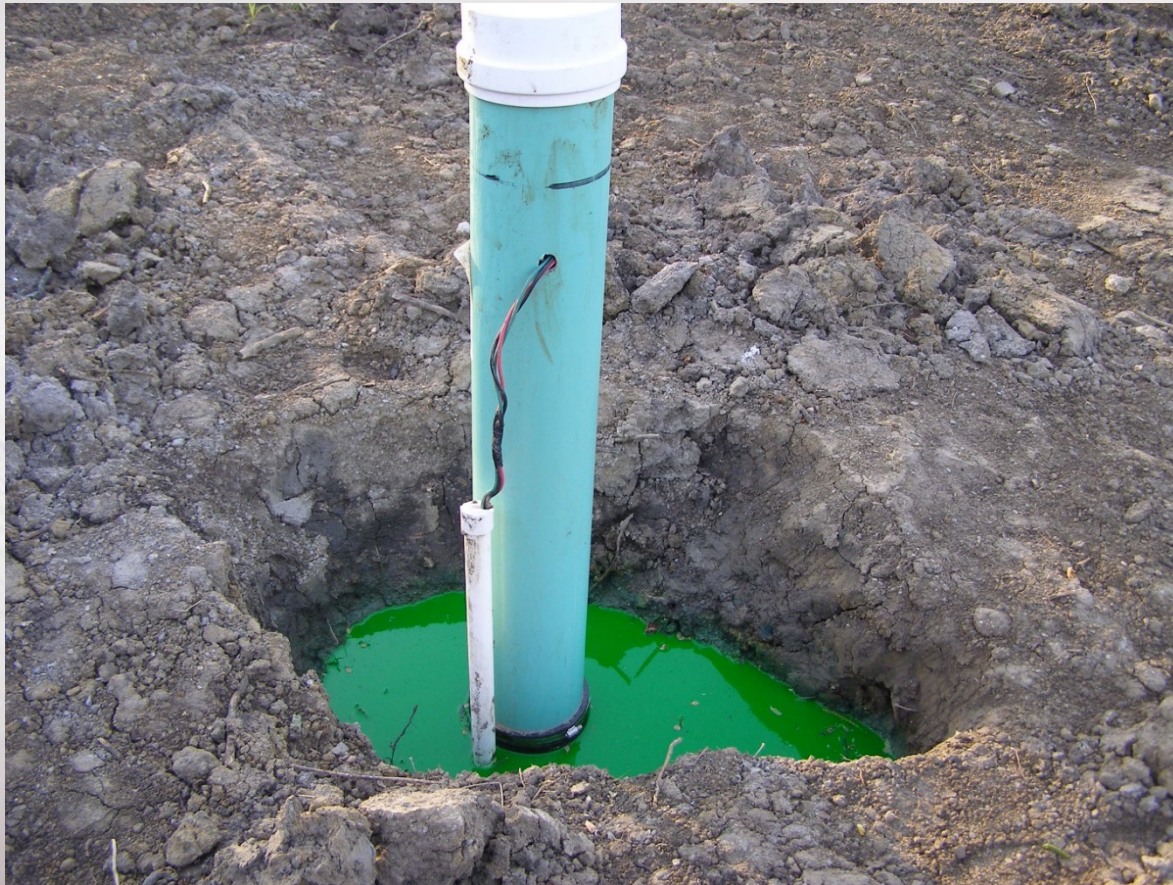
Let's take a closer look...



Non-Compliant Casing



What else is wrong with this picture?



Looks like new construction, not alteration



Conduit Sealing



Pressure Tank Placement



Any Ideas???



Interior vs Exterior Piping



Violation – Threaded sample tap



Non-compliant



Compliant

Violation – No Pressure Relief Valve



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7 Components of Properly Written NOV

- 1) PWS Contractor Information – Includes Registration #
- 2) Observed Violation
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That's all Folks!

Contact Information

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Private Water Systems Program, ODH

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