

CITY OF TOLEDO



DEPARTMENT OF PUBLIC UTILITIES

June 28, 2007

CERTIFIED MAIL

Mr. Timothy Kasmoch
CEO/President
N-Viro International Corp.
3450 W. Central Avenue
Suite #328
Toledo, Ohio 43606

Re: Notice of Violation

Dear Mr. Kasmoch:

Enclosed, please find a "Notice of Violation" for N-Viro International Corporation. Please review this document carefully as some action is required on your part.

If you have any questions, please feel free to contact me.

Yours from Toledo - a City of the Future!

A handwritten signature in cursive script that reads "Matthew A. Stanfield".

Matthew A. Stanfield
Environmental Engineer

*fDi Magazine-April 2007

Enclosure

cc: Casey Stephens
Leslie Kovacik
John Paulian, OEPA
Lisa Holscher, USEPA Region V

T. Casey Stephens, Commissioner
DIVISION OF ENVIRONMENTAL SERVICES
Quilter Environmental Center
348 South Erie Street, Toledo, Ohio 43604-8633 USA
Telephone: 419-936-3015 Fax: 419-936-3959 E-mail: casey.stephens@toledo.oh.gov

NOTICE OF VIOLATION

June 28, 2007

The City of Toledo Division of Environmental Services hereby serves notice that:

N-Viro International Corporation
Front Street, near Millard Avenue
Toledo, Ohio 43605

has violated the following environmental laws, orders, rules, or regulations on the indicated dates at the above address.

Dates of Violation(s)

May 3, 2007

Regulation(s) violated

OAC rule 3745-31-02(A)(1)

Description of Source(s) and Violations(s)

A soil blending operation was installed without first obtaining a permit to install from the Ohio EPA.

The above violation(s) may subject the violator to penalties of up to \$25,000 per violation. It is possible that a penalty may be assessed in this case. If a penalty is to be assessed, the amount will be determined after your response is reviewed.

Required Actions

Within 2 weeks of receipt of this Notice of Violation, you shall:

1. Abate the violation(s) or provide for an acceptable remedy.
2. Reply in writing to this Notice of Violation. The reply shall include:
 - a. description(s) and date(s) of action(s) taken thus far to abate the violation(s).
 - b. description(s) and expeditious time schedule of action(s) yet to be taken to remedy the violation(s).
 - c. description(s) of action(s) taken or to be taken to prevent recurrence of the violation(s).

Your written response and any questions regarding this Notice of Violation should be directed to Matthew A. Stanfield at the Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio 43604, or call 419-936-3938.

The submission of the above requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code § 3704.06. Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.