



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 15, 2013

Ms. Amanda Kushner and Mr. Richard Caserta
1740 Parker Road
Milford, Ohio 45150

RE: OHIO EPA ID. # 1303-13-0597; Notice of Violation

Dear Ms. Kushner and Mr. Caserta:

According to the Clermont County Auditor, you are the owners of the property located at 1740 Parker Road.

This letter is to serve as a follow up to the investigation by Ohio EPA of Incident # 1303-13-0597, a release of fuel oil from an oil storage tank. The spill occurred at 1740 Parker Road, Goshen Township, Clermont County. Ohio EPA initiated the investigation of this incident on March 27, 2013. The investigation revealed a release of an unknown amount of fuel oil on the residential property and in the adjacent storm ditch that discharges to a tributary of Lick Fork, "waters of the state" as defined in Ohio Revised Code 6111.

A discharge or release of fuel oil into waters of the state is in violation of Ohio Revised Code (ORC) Section 6111.04. "No person shall cause pollution or place or cause to be placed any sewage, industrial waste, or other wastes in a location where they cause pollution of any waters of the state ..."

In circumstances where corrective actions can be taken to mitigate or lessen the impact of the release on the environment, the Ohio EPA On-Scene Coordinator (OSC) would recommend mitigative or cleanup actions. At the time of the initial investigation by the OSC, the recoverable fuel oil had been purged from the site from rainfall runoff.

In addition to the violation of ORC 6111, proper notifications as required by ORC 3750 and Ohio Administrative Code (OAC) 3750 were not made.

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OAC 3750-25-20 Reportable quantities for oil...

(1) The reportable quantity for the discharge of oil including crude oil into or upon navigable waters is any amount which causes a film or sheen upon or discoloration of the surface of the waters or cause a sludge or emulsion to be deposited beneath the surface of the waters.

Ohio EPA reserves its right, pursuant to Chapters 3704, 3714, 3734, 3745, 3750, 6109, and 6111 of the ORC and any other applicable state or federal laws or regulation to require further site investigation and abatement to address releases or discharges into the environment at the above designated site, and to seek civil penalties, reimbursement of oversight costs and any other appropriate legal or equitable relief for any violation of law.

This letter is not a final action of the director of the Ohio Environmental Protection Agency and is intended only as a notification of a violation of the Ohio environmental laws and regulations.

If you have any questions concerning this letter, please contact me at (937) 285-6037, or by email at dale.farmer@epa.ohio.gov.

Sincerely,



Dale Farmer
On-Scene Coordinator
Division of Environmental Response and Revitalization

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