Ohio EPA
40 years and moving forward

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

May 23, 2013 **CERTIFIED MAIL**

Mr. and Mrs. Daniel Shirk
6200 Pondlick Road
Winchester, Ohio 45697

RE: NOTICE OF VIOLATION - WASTEWATER DISPOSAL
6407 PONDLICK ROAD, HIGHLAND COUNTY

Dear Mr. and Mrs. Shirk:

On May 20, 2013, Kyle Arn (Highland County Health Department) and I conducted a site visit at 6407 Pondlick Road. A recently-constructed school building is located on the property, as well as two bathroom facilities located north of the building. There is no water provided for the bathrooms and the sewage for each of the bathrooms flows to a below-grade plastic holding tank, which is housed in a concrete block structure. Prior approval was not obtained from Ohio EPA for the installation of the holding tank. This is a violation of Ohio Revised Code 6111.45(A), which states the following:

> **"Except as otherwise provided in division (B) of this section, in section 6111.14 of the Revised Code, or in rules adopted under division (G) of section 6111.03 of the Revised Code, no municipal corporation, county, public institution, corporation, or officer or employee thereof or other person shall provide or install sewerage or treatment works for sewage, sludge, or sludge materials disposal or treatment or make a change in any sewerage or treatment works until the plans therefor have been submitted to and approved by the director of environmental protection..."**

In order to avoid a recommendation for an enforcement action, ownership of the school building must contract with a professional engineer licensed in the state of Ohio to design and prepare detailed plans for an on-site sewage disposal system or holding tank privy to serve the bathroom facilities. Approvable detailed plans, along with the appropriate application forms, must be submitted to Ohio EPA Southwest District Office in order to obtain a Permit to Install (PTI) for the sewage disposal system or holding tank privy.

If ownership and the engineer determine that the bathroom facilities are best served by an on-site sewage disposal system, and the average daily design flow of the system is 1,000 gallons or less, the Highland County Health Department would be the reviewing authority. Otherwise, an on-site sewage disposal system with an average daily design flow of greater than 1,000 gallons or a holding tank privy would require approval through Ohio EPA.

Approvable detailed plans for the sewage disposal system must be submitted no later than July 31, 2013.

Mr. Arn also noted during a previous site visit that the hand sinks, inside the school building, discharged onto the ground. This condition is a violation of Ohio Revised Code 6111.04 "Water Pollution and Sludge Management Violations Prohibited". Ownership shall eliminate the discharge as soon as possible but no later than June 3, 2013.

If you should have any questions, feel free to contact me by telephone at (937) 285-6029 or by electronic mail at joshua.jackson@epa.ohio.gov.

Respectfully,

Joshua Jackson
Environmental Specialist II
Division of Surface Water

cc: Kyle Arn, Highland County Health Department

JJ\bp

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MR AND MRS DANIEL SHIRK
6200 PONDLICK RD
WINCHESTER OH 45697

PS Form 3800, June 2002 — See Reverse for Instructions

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1. Article Addressed to:

MR AND MRS DANIEL SHIRK
6200 PONDLICK RD
WINCHESTER OH 45697

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X Mrs. Lori Shirk ☐ Agent ☐ Addressee

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