



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

January 24, 2013

CERTIFIED

Mr. Timothy Foust
A1 Septic Tank Service
128 Saxon Cove
Eaton, OH 45320

RE: Reconnaissance Inspection Report and Notice of Violation

Dear Mr. Foust:

This letter serves as the Reconnaissance Inspection Report and a Notice of Violation. On January 9, 2013, I participated in an inspection at 3801 Germantown Liberty Road in Montgomery County.

Mr. Brett Jones of Public Health - Dayton and Montgomery County, Deputy Victoria Dingee, Deputy Dave Ridgeway of the Montgomery County Sheriff's Office and I were present during the inspection. This letter will only address the findings of the Ohio Environmental Protection Agency and will not address other areas of concern not under the jurisdiction of the Ohio Environmental Protection Agency.

This inspection was performed to verify that the clean-up efforts had been completed per the letter from you dated December 12, 2012. In the letter, it was stated that the storage tanks were going to be emptied by December 28, 2012. I contacted your son Russell on January 3, 2013, to schedule the inspection to verify the tasks had been completed. He informed me that due to illness and inclement weather, not all of the waste material had been removed from the tanks.

Upon arriving at the site, we notified your son Russell of our intention to inspect the waste storage tanks and review the progress that had been made to empty the tanks. During the inspection on November 19, 2012, all three of the waste storage tanks were full. One of the waste storage tanks is used for the storage of waste grease and the other two storage tanks are used for the storage of septage. During the inspection on January 9, 2013, it was determined that the storage tank used for waste grease was approximately 25% full. The east septage storage tank appeared to be approximately 33% full and the west septage storage tank appeared to be 50% full. I have included with this letter copies of the pictures I took during the inspection. The pictures demonstrate the amount of waste material present in the waste storage tanks.

Russell and I discussed the circumstances that hampered your efforts to remove and properly dispose of the waste in the waste storage tanks. We also discussed the removal and disposal of the balance of the waste in the waste storage tanks. It was disclosed that the truck, which was previously used to transport the waste grease to a facility in Washington Court House and

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the septage to either the family farm or the Montgomery County Septage Receiving Station, had been sold. Russell indicated that he would be working with you and his brother to determine when the balance of the waste materials would be removed from the tanks.

During the inspection, Russell expressed interest in installing new waste storage tanks that comply with Ohio EPA requirements. I provided Russell with a copy of Ohio Administrative Code 3745-42-11 which outlines the design requirements for holding tanks. I also reminded Russell that a professional engineer would need to design the installation. We also discussed that the existing tanks should be emptied and removed before starting the project to install new waste storage tanks.

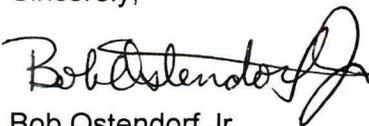
Please inform this office, in writing, within ten days of receipt of this notification the dates in which the following items will be completed:

1. The balance of the waste will be removed from the waste storage tanks.
2. The waste storage tanks and associated plumbing will be uninstalled.
3. Visible contamination will be removed from the waste storage tank area.
4. Manifests or receipts for all of the waste material that has been removed from the waste storage tanks will be available for review.

I would like to take this opportunity to remind you that the installation of the tanks was without an approved Permit to Install, which is a violation of Ohio Revised Code (ORC) 6111.44 and Ohio Administrative Code 3745-42-02. I would also like to remind you that the above-referenced records are required to be available for review upon request.

If you have any questions or concerns regarding this matter, please feel free to contact me at (937) 285-6107 or via email at robert.ostendorf@epa.ohio.gov.

Sincerely,

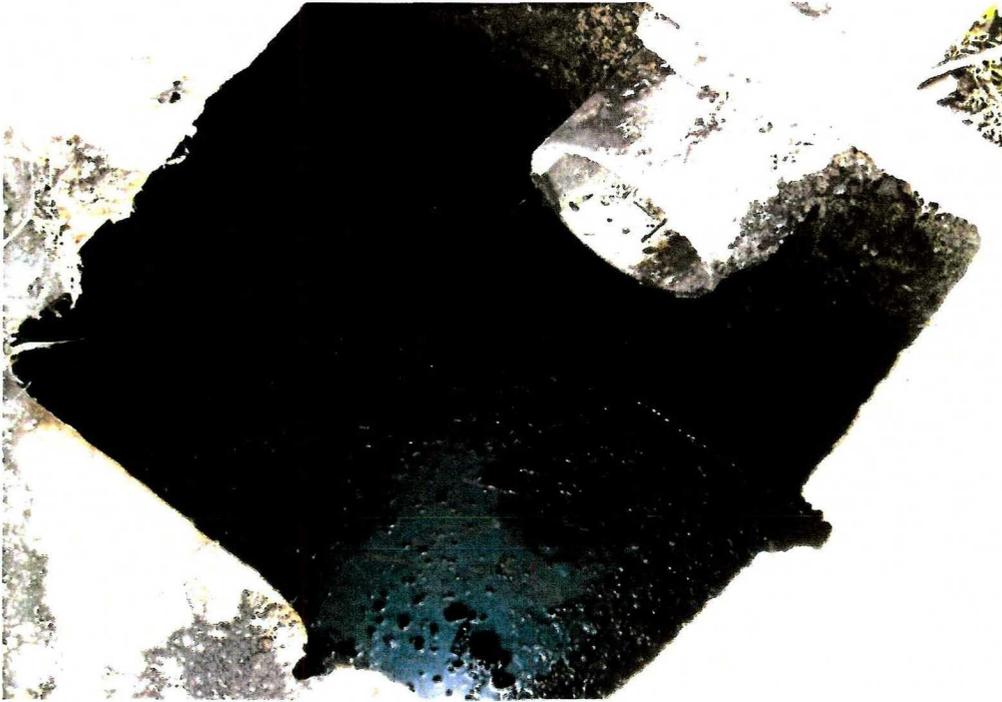


Bob Ostendorf Jr.
Environmental Specialist
Division of Surface Water

BO/kb

cc: Brett Jones, Public Health – Dayton & Montgomery County
Deputy Victoria Dingee, Montgomery County Sheriff's Office
Deputy Dave Ridgeway, Montgomery County Sheriff's Office
Valdis Aistars, U.S. EPA

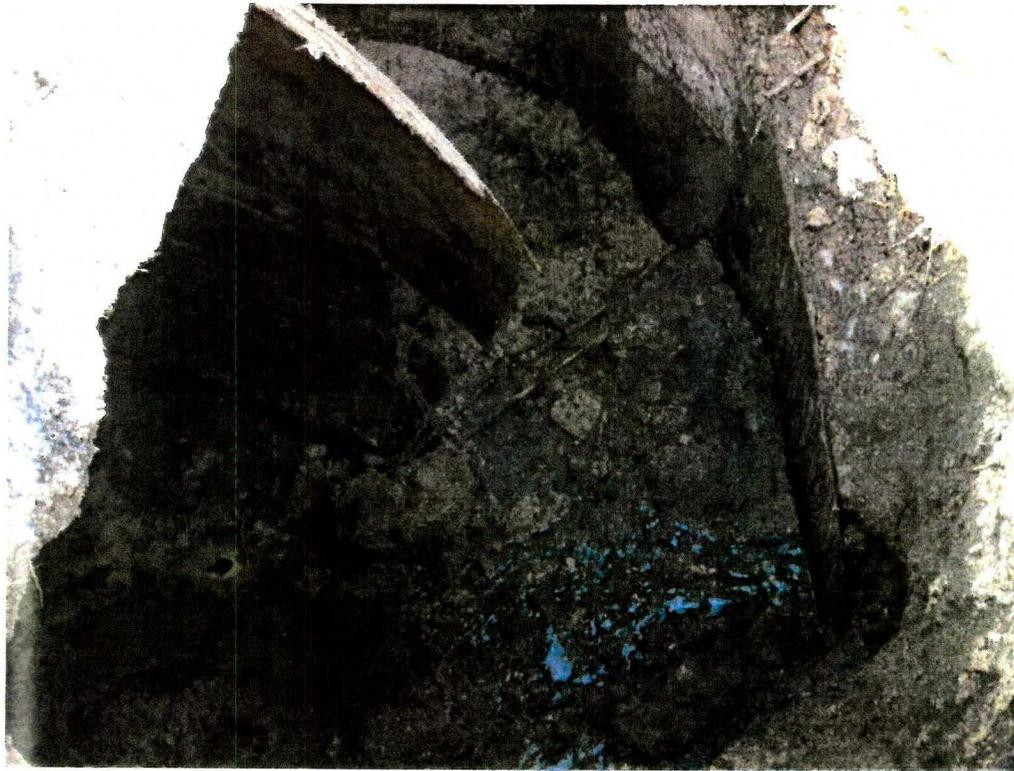
Pictures taken during January 7, 2013 inspection



East Septage Storage Tank



West Septage Storage Tank



Grease Storage Tank

7005 2570 0001 6229 3410

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PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>MR. TIMOTHY FOUST A1 SEPTIC TANK SERVICE 128 SAXON COVE EATON, OHIO 45320</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7005 2570 0001 6229 3410</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, August 2001</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt</p> <p>102595-02-M-1540</p>	