



State of Ohio Environment



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Columbus, OH 43216-1049

September 5, 2008

CERTIFIED MAIL

9171082133393109727019

Buckeye's Excavating
Gerald "Buckeye" Davis
711 Jackson Street
Sarahsville, Ohio 43779

Re: Motor Vehicle Waste Disposal Wells – **FINAL NOTICE**

Dear Owner/Operator:

On March 30, 2007, you were sent a letter notifying you that according to Ohio EPA's Underground Injection Control (UIC) records, your facility is operating an illegal Class V Motor Vehicle Waste Disposal (MVWD) well pursuant to Ohio Administrative Code (OAC) Rule 3745-34-13(A). The letter you received requested that a plan for permanent closure of the well be submitted within thirty (30) days. To date you have failed to comply with this request.

Per the letter dated March 30, 2007, Ohio EPA reminds you of the following:

Ohio Administrative Code (OAC) Rule 3745-34-13(A) prohibits the discharge of vehicle fluids or wash waters through floor drains or shop sinks into the ground via a septic system, leach field or dry well.

In order to comply with applicable Underground Injection Control (UIC) regulations, discharge of motor vehicle wastes into the subsurface must cease immediately. Alternatives to the current injection activities include permanent plugging of floor drains and shop sinks, installation of a permitted holding tank, or connection to a sanitary sewer system.

In addition to immediately ceasing injection, **within thirty (30) days of the date of this letter** per OAC Rule 3745-34-13(F)(1-2), you must submit a closure plan for your Class V injection well(s). The closure plan shall include the following:

- 1.) A detailed schedule of closure activities;
- 2.) Provisions for the complete removal of any solids or sludges from the well(s); and
- 3.) Detailed procedures for plugging the well(s).

Any soil, gravel, sludge, liquids, or other materials removed from or adjacent to the well being closed shall be disposed of or managed in accordance with all applicable federal, state, or local regulations or requirements.

Upon completion of the well closure, the owner or operator of any MVWD well must certify in a report to the Director according to OAC Rule 3745-34-17 that the well was closed in compliance with this rule.

"I certify under the penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korieski, Director

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Please be advised that failure to address this matter is a violation of Ohio's water pollution control laws and regulations and pursuant to Ohio Revised Code (ORC) Rule 6111.99 such violations are are subject to civil and /or monetary penalties.

If you have any questions concerning this letter please contact me at (614) 644-2752.

Sincerely,



Valerie J. Orr, Class V Coordinator
Division of Drinking and Ground Waters
Underground Injection Control Unit

mwwdclosure.finalnotice.doc

cc: Lindsay C. Taliaferro III, UIC Manager, DDAGW
Southeast District Office, DSW