



STREET ADDRESS:

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, OH 43216-1049

July 15, 2009

Mr. and Mrs. Paul E. Mathias
1123 Glen Drive NE
New Philadelphia, Ohio 44663

Re: Notice of Violation

Dear Mr. and Mrs. Mathias:

The Ohio Environmental Protection Agency's Division of Drinking and Ground Waters, Underground Injection Control (UIC) Program was recently notified of an illegal Class V motor vehicle disposal well on your property located at 1032 High Avenue W. in New Philadelphia, Ohio. In this case, the well is a dug hole with a metal casing/pipe and cover. Ohio Administrative Code (OAC) Rule 3745-34-01(VV)(2) defines a well as a dug hole whose depth is greater than the largest surface dimension.

After obtaining verbal permission from Mrs. Mathias on June 16, 2009, an inspector from Ohio EPA's Division of Hazardous Waste, Southeast District Office conducted an inspection of the well on this property and determined that the well had been used to illegally dispose of used motor oil. According to the inspector, the well contained an oily funnel made from a plastic jug and an automotive oil filter containing oil. The inspector noted that in the well was a layer of black dirt overlying gravel at approximately one foot below the ground surface.

Because the well was used to dispose of motor vehicle fluids, it is defined as a Class V motor vehicle disposal well which is strictly prohibited according to OAC Rule 3745-34-11(C) and must be closed in accordance with paragraph (N) of this rule. The illegal discharge of motor vehicle fluids through Class V injection wells endangers underground sources of drinking water (USDWs) and the pipe, contaminated soil, gravel, sludge, liquids must be removed from and adjacent to the well. The materials removed must be disposed of or managed in accordance with all applicable federal, state or local regulations and requirements.

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

Mr. and Mrs. Paul E. Mathias

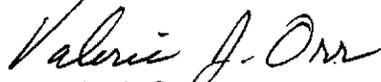
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As the owners of the well, you are required by OAC Rule 3745-34-11(N) to submit a plan describing how the well and its contents will be removed and properly disposed. After the well and contents are removed, the void space must be completely filled with clean soil or clay material. Please submit this plan within thirty (30) of receipt of this letter.

If you have questions concerning the requirements detailed in this letter please contact me at (614) 644-2752.

Sincerely,



Valerie J. Orr

Class V Coordinator

UIC Program

Division of Drinking and Ground Waters

Cc: Lindsay C. Taliaferro III, IUC Manager
Elizabeth Herron, DHWM, SEDO
Mike Preston, Manager, DDAGW, SEDO

mathias.nov