Ohio EPA
State of Ohio Environment

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September 5, 2008

CERTIFIED MAIL
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Randy Lane's Auto-Body Inc
Ed Gershner
10250 Harrison Ave.
Harrison, Ohio 45030

Class V Industrial 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 Industrial Disposal well pursuant to Ohio Administrative Code (OAC) Rule 3745-34-13(A). The letter you received stated that you must either cease all discharge of all non-sanitary waste (such as process fluids, contact cooling waters, wash waters, etc.) or submit a completed application (application enclosed) for a Class V injection well permit-to-operate within sixty (60) days of receipt of the letter. 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 EPA's Class V inventory records indicate that your facility discharges industrial or process wastes or waste waters as defined in Ohio Administrative Code (OAC) Rule 3745-34-01 *(OAC Rule 3745-34-01(LL): "Industrial waste" means any liquid, gaseous, or solid waste substance resulting from any process of industry, manufacture, trade, or business, or from the development, processing, or recovery of any natural resource, together with such sewage as is present.)* to an on lot disposal system such as a septic tank, dry well or leach field.

OAC Rule 3745-34-13(A)(4) requires a Class V permit-to-operate to discharge industrial waste into a Class V injection well. To be permitted, the commercial wastes or waste waters discharged to a Class V well (i.e., septic tank, dry well or leaching lines) can not exceed primary drinking water regulations or endanger human health as stated in OAC Rules 3745-34-07 and 3745-34-13 (A)(4).

In order to comply with applicable Underground Injection Control (UIC) regulations, the unpermitted discharge of industrial waste fluids 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.

You are required to either cease all discharge of all non-sanitary waste (such as process fluids, contact cooling waters, wash waters, etc.) or submit a completed application (application enclosed) for a Class V injection well permit-to-operate within thirty (30) days of receipt of this letter. All permit-to-operate applications must be accompanied by a non-refundable $2,000 application fee.

If you elect to close the well rather than submit an application for a Class V permit to operate, **within thirty (30) days of receipt of this letter** you must submit a closure plan for your Class V injection well(s) per OAC Rule 3745-34-13(F)(1-2). The closure plan must 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."*

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.

Should you have any questions concerning the requirements of this letter, please call me at (614) 644-2752.

Sincerely,

Valerie J. Orr

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

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Enclosure

cc: Lindsay C. Taliaferro III, UIC Manager, DDAGW