



State of Ohio Environment... * P. O. G. W 6 9 1 0 5 2 0 0 7 U I C N O V *

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

October 5, 2007

Rick Sanford
Owner, SNS Express
20597 U.S. Route 24
Defiance, Ohio 43512

91 7108 2133 3931 0973 3478

Re: FINAL NOTICE – Unauthorized Class V Injection Wells

Dear Mr. Sanford:

In July of 2003, your facility was inspected by Ohio EPA's Division of Hazardous Waste Management in response to a complaint that your business was dumping oil and diesel fuel down floor drains that led to a septic system. At the time of that inspection, the Ohio EPA did not find any evidence to support this claim. However, the inspector did inform you that your injection system was subject to Underground Injection Control (UIC) Rules and Regulations.

On November 17, 2005, a UIC Unit inspector visited your facility and based on their findings, which were outlined in a November 22, 2005 letter to you, you were informed that SNS Express was in violation of Ohio Administrative Code (OAC) Rule 3745-34-13 for having floor drains that discharge or have the potential to discharge automotive wastes and wash waters to an underground injection well. Disposal of automotive waste through floor drains that ultimately lead to a septic tank and to a leach field is strictly prohibited by OAC Rule 3745-34-13(A). The injection of vehicle/equipment wash waters into a Class V injection well is also illegal without a permit to operate per OAC Rule 3745-34-13 (A)(3).

On December 5, 2005, you sent an inventory form and letter to Ohio EPA that indicated you were evaluating alternatives for the wash waters generated at the site and the wash water from washing floors in the maintenance area. As of early April of 2006, you had not provided Ohio EPA with a closure plan as requested in November of 2005.

On April 26, 2006, Ohio EPA sent another letter to SNS Express. This letter was entitled FINAL NOTICE – Class V Injection Well Closure. This letter again outlined the steps you were to take in order to return to compliance with applicable UIC Rules and Regulations. On May 22, 2006, you sent a transmittal to Ohio EPA that indicated you would be connecting to the City of Defiance's waste water sewer and that a "contractor doing the work has penciled us (SNS Express) in for July."

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

To date, Ohio EPA has not received a closure plan for the injection well at your facility.

Ohio EPA believes it has been more than patient with SNS Express. We understand that the ODOT road construction project on US Route 24 has delayed the sewer expansion project. Ohio EPA has recently received information from ODOT and Defiance County that indicates your sewer connection will not be completed any time within the next year.

Therefore, this is your last notice to close your illegal Class V injection wells. If Ohio EPA does not receive a detailed plan for closure of the illegal Class V injection wells at SNS Express within **thirty days of the date on this letter**, Ohio EPA will take enforcement action against SNS Express that will include Director's Findings and Orders which will include a suggested monetary penalty. Owners or operators of illegal and unpermitted disposal wells that fail to comply with Ohio's water pollution control laws and regulations are subject to civil penalties of up to \$25,000 under Ohio Revised Code Section 6111.99 plus the costs associated with meeting the terms and conditions of the Director's orders.

For the last time, you are reminded:

SNS Express must submit a formal Plugging and Abandonment Plan. Each Plugging and Abandonment Plan should include at a minimum:

- (1) A schedule of closure activities that will commence within 30 days of the Closure Plan submittal;
- (2) The type and quantity of material to be used in the plugging;
- (3) Surface and subsurface diagrams locating the positions at which the permanent plug(s) will be situated;
- (4) Provisions for completely removing the wells and associated structures; (if applicable)
- (5) Provisions for backfilling the resulting well and tank cavities with clean soil; (if applicable)
- (6) Procedures for the removal of any solids and sludges from the wells; and

If you wish to install a holding tank, please contact Ms. Dana Martin-Hayden in Ohio EPA's Bowling Green office as the holding tank will need to be permitted by Ohio EPA's Division of Surface Water.

You could also choose to apply for a Class V Industrial Waste Disposal Permit to Operate. This could be accomplished by permanently closing floor drains within maintenance areas and isolating maintenance areas (i.e. walls, cement retainers) from other areas of the garage that have floor drains, but where no maintenance occurs.

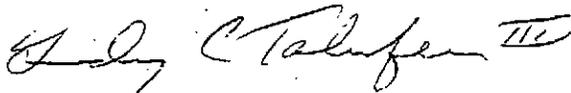
To continue washing trucks/equipment, as part of the permit application, and per OAC Rule 3745-34-16, the applicant is required to submit a non-refundable application fee of \$2,000.00 and the applicant must demonstrate that its waste stream meets primary

drinking water standards prior to discharge to the Class V injection well. Should a permit be issued, periodic monitoring would also be required in order to ensure that the discharge continues to meet primary drinking water standards.

In the meantime, you are NOT AUTHORIZED to inject any wash waters or maintenance related fluids into your Class V well(s), doing so will result in escalated enforcement action. Your prompt cooperation in bringing this outstanding matter to a close would be appreciated.

Should you have any questions in developing your Closure Plan or should you need a Permit to Operate application, please contact Jess Stottsberry of my staff at (614) 644-2752.

Sincerely,



Lindsay C. Taliaferro III
UIC Program Manager
Division of Drinking and Ground Waters

cc: Michael G. Baker, Chief, DDAGW
Elizabeth Messer, Compliance Assurance Manager
Shannon Nabors, Chief, NWDO
Al Rupp, Manager, DSW-NWDO
Dana-Martin-Hayden, DSW-NWDO
Mayor Bob Armstrong, Defiance County
Defiance County Health Department