



State of Ohio Environment



STREET ADDRESS:

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

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

MAILING ADDRESS:

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

September 22, 2010

CERTIFIED MAIL
9171082133393715009707

NOTICE OF VIOLATION

Todd M. Woodruff, Owner
Woodruff Enterprises
4815 Urbana Road
Springfield, Ohio 45502-9503

Dear Mr. Woodruff:

This letter is to inform you that Woodruff Enterprises must immediately cease injection of all industrial and motor vehicle waste fluids through floor drains and shop sinks connected to a septic system and or dry well. Discharge of waste fluids generated from the repair or maintenance of any motor vehicles is illegal pursuant to Ohio Administrative Code (OAC) Rule 3734-34-11(C). Woodruff Enterprises is also not authorized to discharge industrial waste waters such as those generated from vehicle washing or floor washing without a Class V permit to operate according to OAC 3745-34-11(A).

Woodruff Enterprises is located within the City of Springfield's Source Water Protection Area and the unauthorized discharge of motor vehicle and industrial wastes poses a threat to the drinking water supply for over 65,000 residents.

Ohio EPA's Division of Drinking and Ground Waters, Underground Injection Control (UIC) Program has contacted you previously concerning this illegal discharge to a Class V injection well through letters dated September 5, 2008 and November 10, 2009 and during a site visit/inspection on March 10, 2010 and in a telephone conversation on November 4, 2009. You had indicated that you were exploring the cost of tying in to the City of Springfield's sanitary sewer or the possibility of installing a holding tank. Over two years have passed without resolving this situation.

Subsequent telephone conversations with Woodruff Enterprises' consultant, Hoppes Engineering over the past three months have indicated that Woodruff Enterprises would not be pursuing either connecting to the sanitary sewer or installing a holding tank. Mr. Ryan Hillard of Hoppes spoke of proposing a wastewater recycling system or a bio-treatment reservoir. Either of these options would require the approval of Ohio EPA's Division of Surface Water.

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

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Pursuant to Rule 3745-34-11(C) of the Ohio Administrative Code (OAC), Woodruff Enterprises must immediately cease discharging all MVWD related fluids. All floor drains in areas where vehicle maintenance or repair occurs must be permanently plugged and any shop sinks must be disconnected from the septic system. All unpermitted discharges of industrial wastewaters and or wash waters must cease until such time that Woodruff Enterprises receives a Class V Permit to Operate. Please be aware that if you wish to apply for a Class V Permit to Operate, you must demonstrate that all fluids discharged will meet primary drinking water standards established under OAC Chapter 3745-81 and will not adversely affect human health or the environment. Analytical testing of waste fluids and ground water will be required as a condition of the permit to determine compliance with UIC regulations. A copy of the Class V Permit to Operate application has been included with this letter. Please note that there is a non-refundable application fee of two thousand dollars (\$2,000.00)..

You must submit within thirty (30) days, a completed application for a Class V permit to operate or a detailed plan and a proposed schedule for permanently disconnecting all floor drains and shop sinks from the septic system as required by OAC Rule 3745-34-11(N). Any soil, gravel, sludge, liquids, or other materials removed from or adjacent to the well during disconnection shall be disposed of or managed in accordance with all applicable federal, state, or local regulations or requirements.

Upon completion of the disconnection by permanently plugging the floor drains and disconnecting the shop sinks, as the owner of an MVWD well you 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. Per OAC Rule 3745-34-17(D), the letter must include the following certification statement:

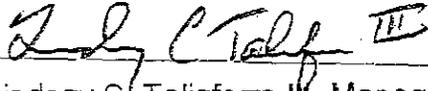
"I certify under the penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate,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

Please be aware that enforcement action will escalate until this matter is resolved. Enforcement action may 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.

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If you have any questions concerning the requirements of this letter you may contact me or Valerie Orr of my staff at (614) 644-2752.

Sincerely,



Lindsay C. Taliaferro III, Manager
Underground Injection Control Program
Division of Drinking and Ground Waters

Woodruff9.10.nov.doc

Attachment

cc: Jim Simpson, Manager, DSW-SWDO
Sandy Leibfritz, DSW-SWDO

INSTRUCTIONS AND PROCEDURAL INFORMATION
FOR FILING AN APPLICATION FOR AN
UIC PERMIT TO OPERATE
CLASS V - INJECTION WELL

- I. No person shall inject sewage, industrial wastes or other wastes, as defined in rule 3745-34-01 of the Ohio Administrative Code (OAC), into or above an underground source of drinking water (USDW) as defined in OAC rule 3734-34-01 without first obtaining a UIC permit to drill, where applicable, and permit to operate under OAC rules 3745-34-12 and 34-16 from the Director of Ohio EPA.
- II. No person shall inject sewage, industrial wastes or other wastes as defined in OAC rule 3745-34-01 into or above an USDW through an existing well not previously used for that purpose and for which no UIC permit to drill would be required without first obtaining a permit to operate under OAC rule 3745-34-12 and 34-16.
- III. The applicant shall submit: (a) an original permit application plus four copies; and (b) a check in the amount of \$2,000.00 made payable to "Treasurer, State of Ohio".

All applications and supporting documentation are to be sent to:

Ohio EPA
Division of Drinking and Ground Waters
Underground Injection Control Section
PO Box 1049
Columbus, Ohio 43216-1049

Telephone inquiries: (614) 644-2752

The main office of the Ohio EPA is located at the Lazarus Government Center, 50 West Town Street, Columbus, Ohio 43215.

- IV. Signature on application: Please refer to Rule 3745-34-17 of the Ohio Administrative Code, as attached.
- V. **An application will not be processed until all information required to properly consider the application has been received.** If an applicant fails to submit additionally requested information in a timely manner, the application may be returned.

Please Note: Applicants shall keep records of all data used to complete permit applications and any supplemental information submitted for a period of at least 3 years from the date the application is signed. Please refer to Rule 3745-34-12(F) of the Ohio Administrative Code.

- VI. The Permit to Drill application will be reviewed by the Ohio Department of Natural Resources, Division of Mineral Resources, Division of Water, and the Division of Geological Survey.
- VII. The applicant will be notified in writing of the decision of the Director of the Ohio EPA.

For Office Use Only
PTO Application No. _____
Fee _____

DIVISION OF DRINKING AND GROUND WATERS
UNDERGROUND INJECTION CONTROL PROGRAM
CLASS V INJECTION WELL
APPLICATION FOR PERMIT TO OPERATE

Facility Name _____ Primary SIC Code _____ Person to Contact _____

Facility Address _____ Mailing Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

Area _____ Number _____ Area _____ Number _____

Telephone _____ Telephone _____

Federal State Private Public Other _____ Yes No
Entity Status (check one) _____ Is Facility on Indian Land?

Is this application for an area permit? Yes No . Is it for a mine backfill project? Yes No .

If Corporation, Name and Address of Statutory Agency

Provide a brief description of the nature of your firm's business. _____

Provide a brief summary of the injection activity proposed including purpose of injection, description of the injectate and number of wells proposed to be installed:

Authorizing Signature

I, being the individual specified in Rule 3745-34-17 of the Ohio Administrative Code (OAC), hereby apply for a Permit to Drill for the Class V Underground Injection Well described herein.

Authorized Signature
(Pursuant to OAC Rule 3745-34-17)

Printed Name and Title

Date

Please be advised that this application must be accompanied by a non-refundable fee of \$2,000.00 pursuant to OAC Rule 3745-34-12(G)(1).

Please Note: Operation of an injection well without an effective Underground Injection Control Permit to Operate is prohibited pursuant to Ohio Revised Code 6111.044.

DIVISION OF DRINKING AND GROUND WATERS

UNDERGROUND INJECTION CONTROL PROGRAM
CLASS V INJECTION WELL
APPLICATION FOR PERMIT TO OPERATE

APPENDIX

N.B. Please provide the information requested on this Appendix or on separate sheets of paper as indicated. If the application for a permit to drill for the relevant well(s) is submitted with this application for the permit to operate, the applicant can reference the permit to drill application within the permit to operate application for the location of the information required under rule 3745-34-12 and -34-16(A)(1) to -16(A)(3) of the Ohio Administrative Code.

1. Designation of the well(s) by number and name.

2. Latitude and longitude of well(s) location to the nearest second.
3. Location of tract of land where the well(s) is/are located, including: Section or Lot Number, City/Village, Township and County.
4. Name of the geologic formation to be tested or used and proposed total depth of well(s).
5. Geologic description of the injection zone including the name of the formation, depth, thickness and lithology.
6. Chemical characteristics of formation fluid, including complete chemical analysis of the following parameters:

calcium	sulfate	total dissolved solids	cadmium
magnesium	chloride	potassium	iron
sodium	fluoride	manganese	pH
carbonate	nitrate	barium	
bicarbonate	conductivity	boron	
	temperature	strontium	
7. Submit with this application a description of the testing, drilling, and construction of the injection well(s). This shall include a description of the type of drilling, completion, construction, and injection equipment that was used. This shall include the date well construction was completed and a construction narrative and as built engineering plans for the well(s).
8. An anticipated maintenance and inspection schedule for the well(s).
9. For an existing well being converted to a class V well or a permit renewal provide a chronology of all major well workovers and well malfunctions, a brief description of the reasons for the well failure, and any corrective actions taken.
10. Provide a description of the disposal of water and other waste substances resulting, obtained, or produced in connection with drilling, conversion or testing of the well(s).
11. State the chemical composition and physical properties of the substance proposed to be injected including a complete chemical analysis adequate enough to demonstrate compliance with rule 3745-34-07(A) of the Ohio Administrative Code including an analysis for all constituents listed in the primary drinking water regulation under Chapter 3745-81 of the Administrative Code.

12. Provide a topographical map (or other map if a topographical map is unavailable) on a scale not smaller than four hundred feet to the inch, prepared by an Ohio Registered surveyor, extending one mile beyond the property boundaries of the source depicting:
- a. The facility.
 - b. Each of the facility's intake and discharge structures.
 - c. The proposed injection wells.
 - d. Each of the facility's hazardous waste treatment, storage or disposal facilities.
 - e. Solid waste disposal areas at the facility.
 - f. Each well where fluids from the facility are injected underground.
 - g. All wells permitted to inject fluids underground.
 - h. Active, closed, and temporarily abandoned oil and gas wells.
 - i. Those wells, springs, and other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant including the drinking water source protection area for all public water supply wells identified.
 - j. If the well is currently or is proposed to be located within the excavations and workings of an active mine, the map shall include all of the following:
 - i. The location of the mine.
 - ii. The name of the mine.
 - iii. The name of the person operating the mine.
 - k. If the well is currently or is proposed to be located within the excavations and workings of an abandoned mine, the map shall include all of the following:
 - i. The location of the mine.
 - ii. Where known, the name of the mine.
 - iii. Where known, the dates the mine operated.
13. Provide a map showing the injection well(s) for which a permit is sought and the applicable area of review. The area of review shall be one-quarter mile beyond the injection well(s). Within the area of review, the map must show the number or name, and location of:
- a. All producing oil and natural gas wells for which public records exist.
 - b. Injection wells including large capacity septic systems and storm water drainage wells.
 - c. All active and abandoned water supply wells for which public records exist.
 - d. Surface bodies of water.
 - e. Springs.
 - f. Mines (surface and subsurface).
 - g. Quarries.
 - h. Other pertinent surface features including residences and roads.
 - i. Faults, if known or suspected.
 - j. Storm and sanitary sewers.
14. Provide maps and cross sections:
- a. Indicating the general vertical and lateral limits of all underground sources of drinking water within the area of review, their position relative to the injection formation and the direction of water movement where known, in each underground source of drinking water which may be affected by the proposed injection.
 - b. Detailing the geologic structure of the local area.
 - c. Illustrating the regional geologic setting.

15. Describe activities conducted by the applicant which require that permits be obtained under the following environmental programs as applicable:
- Resource Conservation & Recovery Act (RCRA);
 - Underground Injection Control Program (UIC);
 - The National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act, and Chapter 6111. of the Ohio Revised Code;* and
 - The Prevention of Significant Deterioration Program (PSD) under the Clean Air Act and Chapter 3704. of the Ohio Revised Code.

*Please Note: If liquid or semi-liquid wastes are discharged to a POTW, provide the POTW NPDES permit number

16. Provide a listing of all permits or construction approvals received or applied for under any of the following programs:
- Hazardous Waste Management Program under RCRA and Chapter 3734. of the Ohio Revised Code;
 - UIC Program under the Safe Drinking Water Act (SDWA) and Chapter 6111. of the Ohio Revised Code;
 - NPDES Program under the Clean Water Act (CWA) and Chapter 6111. of the Ohio Revised Code;
 - The Prevention of Significant Deterioration Program (PSD) under the Clean Air Act and Chapter 3704. of the Ohio Revised Code;
 - Nonattainment Program under the Clean Air Act and Chapter 3704. of the Ohio Revised Code;
 - National Emission Standards of Hazardous Pollutants (NESHAPS) preconstruction approval under the Clean Air Act of Chapter 3704. of the Ohio Revised Code;
 - Ocean Dumping Permits under the marine Protection Research and Sanctuaries Act;
 - Dredge and Fill Permits under Section 404 of the CWA and Chapter 3745-32 of the Ohio Administrative Code; and
 - Other relevant environmental permits, including state permits.
17. Submit with this application, a plan for plugging and abandonment per rule 3745-34-11(N) of the Ohio Administrative Code.
18. Evidence of financial responsibility for the operation, maintenance and closure of the well(s) including surety bond, or other adequate assurance, such as a financial statement or other materials acceptable to the director.

Completed by

Printed Name and Title

Date