



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

November 16, 2012

Mr. Todd Dugan, Owner
V. E. Beard Oil Company Inc.
P.O. Box 128
Blandensburg, Ohio 43005

RE: V.E. Beard Oil Company Inc. Reconnaissance Inspection / Notice of Violation, NPDES Permit No. 11N00282*AD / OH0133990

Dear Mr. Dugan:

On November 8, 2012, Joe Reynolds conducted a Reconnaissance Inspection at the V. E. Beard Oil Company Inc., 6990 Lima Street (S.R. 117), Huntsville, Logan County. The inspection was performed as part of the National Pollutant Discharge Elimination System (NPDES) permit compliance review for the facility.

Through this letter, I am notifying you that due to the extent of non-compliance that occurred during this permit cycle (550 frequency violations, all compliance schedule dates missed, and failure to submit a timely NPDES renewal application) we will be recommending the facility for enforcement action. You will be contacted in the near future to begin settlement negotiations. The inspection findings are included in the attached report. There are three items that require a written response. Please provide the requested information by no later than December 31, 2012.

If you have any questions, please feel free to call Joe Reynolds at (937) 285-6097, or myself at (937) 285-6034.

Sincerely,

Martyn Burt
Compliance Supervisor
Division of Surface Water

MB/tb

Enclosure

cc: Logan County Health Department



State of Ohio Environmental Protection Agency
Southwest District Office

NPDES Compliance Inspection Report

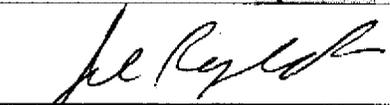
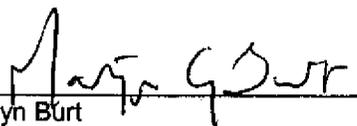
Section A: National Data System Coding					
Permit #	NPDES#	Month/Day/Year	Inspection Type	Inspector	Facility Type
1IN00282*AD	OH0133990	11/8/2012	R	S	1

Section B: Facility Data		
Name and Location of Facility Inspected	Entry Time	Permit Effective Date
V.E. Beard Oil Company Inc. 6990 Lima Street (S.R.117) Huntsville, Ohio	8:00 AM	12/1/2007
	Exit Time	Permit Expiration Date
	9:55 AM	11/30/2012
Name(s) and Title(s) of On-Site Representatives		Phone Number(s)
Mr. Todd Dugan, Owner William Newsome, H2O Technologies LLC		(740) 504 - 8897 (740) 389 - 4514
Name, Address and Title of Responsible Official		Phone Number
Todd Dugan P.O. Box 128 Bladensburg, Ohio 43005		(740) 504 - 8897

Section C: Areas Evaluated During Inspection (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)					
M	Permit	U	Flow Measurement	N	Pretreatment
U	Records/Reports	N	Laboratory	U	Compliance Schedule
M	Operations & Maintenance	S	Effluent/Receiving Waters	U	Self-Monitoring Program
S	Facility Site Review	N	Sludge Storage/Disposal	N	Other
N	Collection System				

Section D: Summary of Findings (Attach additional sheets if necessary)

See attached report.

Inspector	Reviewer
 Date 11/16/2012	 Date 11/16/2012
Joe Reynolds Division of Surface Water Southwest District Office	Martyn Burt Compliance & Enforcement Supervisor Division of Surface Water Southwest District Office

**V.E. Beard Oil Company Inc.
Inspection Findings
November 8, 2012**

On November 8, 2012 I conducted a reconnaissance inspection at the V.E. Beard Oil Company Inc., 6990 Lima Street, Huntsville, Ohio. Present during the inspection were Todd Dugan, Owner, and William Newsome, H2O Technologies, LLC.

V. E. Beard Oil Company Inc. provides petroleum products for both commercial and private individual usage. The site includes three pump islands, an off road diesel pump, and a Kerosene pump. Structures at the site includes: a store, office, warehouse, green houses, and a residential dwelling.

On November 2, 2007 V.E. Beard Oil Company Inc. was issued National Pollutant Discharge Elimination System (NPDES) permit number 1IN00282*AD. This permit is for the discharge of storm water from the site to waters of the state. The final discharge location is after treatment through an oil water separator.

NPDES permit 1IN00282*AD will expire on November 30, 2012. A NPDES permit renewal application is required 180 days prior to expiration. At the time of the inspection a renewal application had not been submitted.

As part of the terms and conditions of the facilities NPDES permit, monthly operating reports are required by the 18 th of the following month. At the time of the inspection the only monthly operating report submitted was for May, 2010. V.E. Beard Oil Company has failed to submit monthly operating reports for 59 out of 60 months during the current permit cycle.

NPDES permit 1IN00282*AD includes a compliance schedule for the installation of a new oil water separator. This schedule included the following compliance dates: submit a Permit to Install 4/1/2008, initiate construction 6/1/2008, and complete construction 12/1/2008. To date none of the compliance dates have been met.

In discussion with the owner Todd Dugan it is my understanding he plans to tear down most of the existing facilities and build a new station. He plans to increase the elevation of the existing site to reduce issues with flooding. An 8" storm pipe that crosses under State Route 117 acts as a bottleneck for storm water drainage. Mr. Dugan plans on removing the oil water separator in the near future.

Mr. Dugan has already made improvements to the site. He removed an old fuel rack in October of this year, and cleaned the area of any residual materials. Waste materials that were being stored outside of the warehouse including: Old fuel tanks, 50 to 60 old drums, scrap metal, storage trailers, and other waste were removed as part of the site clean-up. The area around the warehouse was regraded to better facilitate drainage. One hundred thousand dollars was spent during the clean-up effort.

During a recent investigation into a petroleum spill it was discovered that a leaky cap on an underground storage tank was allowing fuel to spill over into the underground storage tank containment pit. This material was migrating to the storm via an aeration tank lateral from the neighboring property. Upon discovery the cap was fixed and the sewage lateral was relocated out of the underground storage tank pit. There are 5 buried storage tanks at the site (1 diesel, 2, gasoline, 1 kerosene, and 1 off road fuel tank). Three monitoring wells are used to detect and control any spills. Please be advised in accordance with the NPDES permit Part III, Item 12, "Noncompliance Notification", you are required to provide notification (1-800-282-9378) within 24 hours of discovery of any unauthorized bypasses.

Between November, 2007 and November, 2012 V.E. Beard Oil Company LLC reported 1 pH effluent limitation violation, and 550 frequency violations. In addition to these violations V.E. Beard Oil LLC has failed to comply with all of their NPDES permit schedule items.

Items Requiring a Response

1. V.E. Beard Oil Company LLC must immediately begin sampling and reporting storm water discharges from the facility in accordance with the terms and conditions of NPDES permit number 11N00282*AD and any subsequent NPDES renewal.
2. V.E. Beard Oil Company LLC must immediately submit an NPDES renewal application. This application along with renewal fee must be submitted to the Ohio EPA South West District Office.
3. A Storm Water Pollution Prevention Plan (SWPPP) will need to be developed for the site. The plan must address all areas of storm water exposure to petroleum and other potential contaminants at the site. A copy of the plan must be submitted to the Ohio EPA South West District Office.

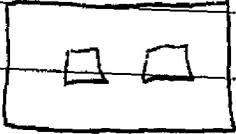
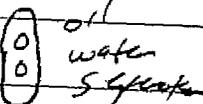
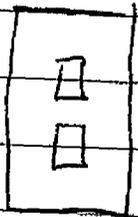
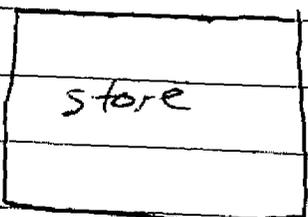
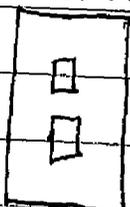
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Storm
culvert

St. Rt. 117

Fuel Island
2 pumps
Gasoline

Fuel Island
2 pumps
Gasoline



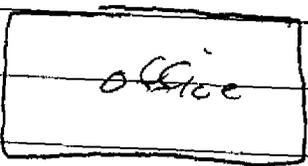
30" tile

Kerosene
pump



Fuel island
2 pumps
Truck Diesel

Drainage
swale



off road
Diesel



Buried
Tank
location

old
fuel
tank
removed

- 1 Diesel
- 1 Kerosene
- 2 Gasoline
- 1 off road Diesel

Warehouse

