



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

June 5, 2013

Mr. Larry Kleinschnitz
Controller, Asst. Secretary - Treasurer
Morris Bean and Company
777 East Hyde Street
Yellow Springs, OH 45387

RE: Greene County, Morris Bean and Company, Notice of Violation

Dear Mr. Kleinschnitz:

On May 9, 2013, I conducted a Compliance Evaluation Inspection at the Morris Bean and Company (NPDES Permit No. OH0040576; OEPA Permit No. 11N00095*FD) located at 777 East Hyde Road, Yellow Springs, Ohio. During the inspection it was discovered that the facility is discharging into a sinkhole which has formed near the facilities property line. Permit 11N00095*FD specifically states that Morris Bean and Company is authorized to discharge wastewater to an unnamed tributary of the Little Miami River. Due to the formation of the sinkhole, Morris Bean and Company is discharging to ground water and is therefore in violation of permit 11N00095*FD.

Ohio EPA recognizes that the sinkhole is a natural formation and the geology of the area surrounding the facility may further complicate potential corrective actions. As such, Ohio EPA would welcome the opportunity to work with Morris Bean and Company in developing a plan of action to address the situation. It is the preference of Ohio EPA to meet with representatives of Morris Bean and Company at their convenience to discuss the options available to Morris Bean and Company.

It is understood that the plan of action to address this situation will take time to develop and will likely take additional time to implement. A plan of action to address this situation will need to be submitted in writing to this office by no later than August 9, 2013.

If you have any questions regarding this matter please feel free to contact me at (937) 285-6107 or via email at: Robert.Ostendorf@epa.state.oh.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Ostendorf Jr.', is written over a faint, larger version of the same signature.

Bob Ostendorf Jr.
Environmental Specialist
Division of Surface Water

BO/kb