

## 1<sup>st</sup> NOTICE of VIOLATION

August 2, 2023

Larry Gregory  
5221 Smothers Road  
Westerville, Ohio 43081

RE: 5221 Smothers Road, Westerville, Ohio 43081  
Plain Township, Franklin County  
Tax District #220 Parcel #001812

Dear Larry Gregory:

Franklin County Public Health has inspected the property located at the above-referenced address. The Franklin County Auditor indicates you are the owners of said property.

An investigation of the septic system was conducted on **July 31, 2023**. At that time, I observed:

1. The sewage treatment system is not being maintained in proper working condition; specifically, the Jet aeration motor had been replaced with an unapproved, 'after-market' motor. Your aerator motor must have the manufacturer's original equipment (OEM) per Ohio Administrative Code 3701-29-13(P).

Ohio Revised Code Chapter 3709 authorizes local health departments to regulate any condition which creates a nuisance. The above condition is a violation of Ohio Administrative Code 3701-29-13 (Sewage Treatment System Rules) and Ohio Revised Code 3718.011.

To bring the property into compliance the following action is required:

1. Replace non-standard aerator motor with Norweco OEM aeration motor; and
2. Take all necessary steps to eliminate the household sewage system from creating a public health nuisance and ensure the home sewage treatment system is functioning properly.

A list of authorized Norweco distributors was left in your front door with my business card.

You will be given until **August 31, 2023**, to comply with this Notice of Violation. A reinspection will be performed on or thereafter to verify compliance. If these violations are not corrected, this matter may result in further administrative enforcement, or criminal charges or a civil lawsuit being filed in the Franklin County Environmental Court.

Please feel free to contact this office if you have any questions. Your anticipated cooperation in this matter will be highly appreciated.

Sincerely,



James May, REHS  
Public Health Nuisance-IDDE Program

JM/jm

C: Plain Township Trustees



Franklin County Public Health  
 280 East Broad Street  
 Columbus, Ohio 43215-4562  
 (614) 525-3160  
 www.myfcp.org

# Aerobic Treatment System Observation Report

Water Quality and IDDE Programs

Record # <b>51</b>	Political Subdivision <b>Plain Township</b>	<input type="checkbox"/> 1st Observation <input checked="" type="checkbox"/> 2nd Observation <input type="checkbox"/> Additional Observation
Property Address <b>5721 SMOTHERS Rd Waverlyville 43081</b>		Location of System on the Property <input type="checkbox"/> Front <input type="checkbox"/> Side <input checked="" type="checkbox"/> Rear
Property Owner <b>LARRY GREGORY</b>		Owner's Phone # <b>1-502-791-4611</b>
Owner's Address <b>SAME</b>		City/State/Zip

### System Description

System Manufacturer <input checked="" type="checkbox"/> Jet <input type="checkbox"/> Norweco <input type="checkbox"/> Multi-Flo <input type="checkbox"/> Aqua-Clear <input type="checkbox"/> Nayadic <input type="checkbox"/> Oldham <input type="checkbox"/> Other	
Inspection Box Present <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Discharge Point <input checked="" type="checkbox"/> Storm Sewer <input type="checkbox"/> Road Ditch <input type="checkbox"/> Watercourse <input type="checkbox"/> Field Tile <input type="checkbox"/> Undetermined <input type="checkbox"/> Other

### Observations - AFTER-MARKET MOTOR - NOT JET MOTOR

Motor <input type="checkbox"/> Missing Motor/Component <input type="checkbox"/> Mechanical Failure <input type="checkbox"/> Electrical Failure <input type="checkbox"/> Visible Damage
Aeration Chamber (Tank) <input type="checkbox"/> Sewage Odor <input type="checkbox"/> Floating Solids <input type="checkbox"/> High Liquid Level <input checked="" type="checkbox"/> Inadequate Aeration
Effluent <input type="checkbox"/> Sewage Odor <input type="checkbox"/> Gray Color <input type="checkbox"/> Black Color <input type="checkbox"/> Solids Present
Filter <input type="checkbox"/> Gray Liquid <input type="checkbox"/> Black Liquid <input type="checkbox"/> Solids Present <input type="checkbox"/> _____
Blockage in the System <input type="checkbox"/> Blockage observed at _____
Additional Observations: <input checked="" type="checkbox"/> MUST BE "JET" MOTOR. See list of distributors attached.

### Action

<input type="checkbox"/> No corrective action necessary at the time of this observation. Thank you.		
<input checked="" type="checkbox"/> Franklin County Public Health staff will return in <u>14</u> days to observe the system operation. Please refer to the items checked in the Observation section of this form. Please call the number listed below when repairs are completed.		
<input type="checkbox"/> The observations noted above will be referred to a Registered Sanitarian for further administrative enforcement pursuant to Ohio Administrative Code 3701-29 and/or Ohio Revised Code 3718.		
Franklin County Public Health Staff <b>JAMES MAY</b>	Phone# <b>(614) 525-4928</b>	Date <b>7/7/23</b>

7/31 - No change met w/ owner  
 Property in foreclosure  
 Will send NOV



FRANKLIN COUNTY PUBLIC HEALTH  
 280 E BROAD ST  
 COLUMBUS, OH 43215  
 1-614-525-3160  
 www.myfcph.org

## Aerobic Treatment System Observation Report

Water Quality and IDDE Programs

<b>Off-Lot Record #</b> 51	<b>Political Subdivision</b> PLAIN TWP	<input checked="" type="checkbox"/> 1st Observation <input type="checkbox"/> 2nd Observation <input type="checkbox"/> Additional Observation
<b>Property Address</b> 5221 SMOTHERS RD WESTERVILLE, OH 43081		<b>Location of System on the Property</b> <input type="checkbox"/> Front <input type="checkbox"/> Side <input checked="" type="checkbox"/> Rear
<b>Property Owner</b> GREGORY, LARRY		<b>Owner's Phone #</b> 1-502-791-4611
<b>Owner's Address</b> 5221 SMOTHERS RD		<b>City/State/Zip</b> WESTERVILLE, OH 43081

### System Description

<b>System Manufacturer</b> <input checked="" type="checkbox"/> Jet <input type="checkbox"/> Norweco <input type="checkbox"/> Multi-Flo <input type="checkbox"/> Aqua-Clear <input type="checkbox"/> Nayadic <input type="checkbox"/> Oldham <input type="checkbox"/> Other	
<b>Inspection Box Present</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Discharge Point</b> <input checked="" type="checkbox"/> Storm Sewer <input type="checkbox"/> Road Ditch <input type="checkbox"/> Watercourse <input type="checkbox"/> Field Tile <input type="checkbox"/> Undetermined <input type="checkbox"/> Other _____

### Observations

<b>Motor</b> <input type="checkbox"/> Missing Motor/Component <input type="checkbox"/> Mechanical Failure <input type="checkbox"/> Electrical Failure <input type="checkbox"/> Visible Damage
<b>Aeration Chamber (Tank)</b> <input type="checkbox"/> Sewage Odor <input type="checkbox"/> Floating Solids <input type="checkbox"/> High Liquid Level <input checked="" type="checkbox"/> Inadequate Aeration
<b>Effluent</b> <input type="checkbox"/> Sewage Odor <input type="checkbox"/> Gray Color <input type="checkbox"/> Black Color <input type="checkbox"/> Solids Present
<b>Filter</b> <input type="checkbox"/> Gray Liquid <input type="checkbox"/> Black Liquid <input type="checkbox"/> Solids Present _____
<b>Blockage in the System</b> <input type="checkbox"/> Blockage observed at _____
<b>Additional Observations</b> <input checked="" type="checkbox"/> After market motor not approved through Oh. Dept of Health. Needs to be a factory jet pump that is NSF approved.

### Action

<input type="checkbox"/> No corrective action necessary at the time of this observation. Thank you.			
<input checked="" type="checkbox"/> Franklin County Public Health staff will return in <u>30</u> days to observe the system operation. Please refer to the items checked in the Observation section of this form. Please call the number listed below when repairs are completed.			
<input checked="" type="checkbox"/> The observations noted above will be referred to a Registered Sanitarian for further administrative enforcement pursuant to Ohio Administrative Code 3701-29 and/or Ohio Revised Code 3718.			
<table border="1"> <tr> <td>Franklin County Public Health Staff <i>Shawn Chapman</i></td> <td>Phone # (614) 525-<u>5962</u></td> <td>Date <u>3-20-23</u></td> </tr> </table>	Franklin County Public Health Staff <i>Shawn Chapman</i>	Phone # (614) 525- <u>5962</u>	Date <u>3-20-23</u>
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*7/7/23 after market, not just motor*