



CERTIFIED MAIL #: 7007 3020 0000 5478 1457

**CEASE AND DESIST ORDER OF THE BOARD OF HEALTH AND REFERRAL
FOR PROSECUTION**

March 12, 2024

Everclean Aeration Services
6479 Seeds Road
P.O. Box 356
Grove City, Ohio 43123

RE: FAILURE TO COMPLY WITH REGISTRATION OF INSTALLERS, SERVICE PROVIDERS AND HAULERS

To Whom It May Concern:

Franklin County Public Health has received information that Everclean Aeration Services is selling contracts to provide services of a Registered Service Provider and has provided repair and maintenance services in Franklin County without registration with Franklin County Public Health.

According to OAC 3701-29-01 OOOO "Service Provider" means any person who services, monitors, evaluates or samples, but does not install or alter, sewage treatment systems or gray water recycling systems.

OAC 3701-29-01 NNNN "Service and Maintenance" means all routine or periodic action taken to assure that an existing sewage treatment system operates as it was intended including the in-place correction, cleaning or replacement of damaged or worn out devices with approved devices. Service and maintenance shall include the replacement of mechanical devices such as agitators, compressors, and pumps; replacement of broken device lids, risers, and baffles; the installation or cleaning of an outlet filter; the pumping of a sewage treatment system component by a registered septage hauler, and all other actions not defined as an alteration or replacement, as determined by the board of health.

Everclean Aeration Services has failed to comply with the registrations requirements of Ohio Administrative Code 3701-29-03 (Sewage Treatment System Rules) and Ohio Revised Code 3718.

On March 12, 2024, the Board of Health adopted Resolution 24-041, attached hereto and incorporated herein, ORDERING you to:

1. Register with the Franklin County Board of Health each year including 2024 and pay the registration fee.
2. Provide proof of compliance with testing requirements established by the Ohio Department of Health.
3. Provide proof of compliance with any system specific training, qualification or certification required as a condition of a system's approval by the director, etc.
4. Provide proof of no less than five hundred thousand dollars general liability insurance coverage.
5. Provide proof of completion of at least six continuing education hours during the previous calendar year through educational programs approved by the Ohio Department of Health.

You shall comply with this immediately. IF THESE VIOLATIONS ARE NOT CORRECTED, and this Cease & Desist Order of the Board is neglected or disregarded, the Board has authorized me to issue a citation pursuant to Ohio Revised Code Section 3707.02 and afford you an opportunity to appear before the Board and show cause why the Board should not issue these orders. In addition, IF THESE VIOLATIONS ARE NOT CORRECTED, the Board has authorized me to refer this matter to the Franklin County Prosecuting Attorney which may result in the filing of criminal charges or a request for injunctive relief in a civil lawsuit being filed in the Franklin County Municipal Court, Environmental Division. This Order may be appealed to the Board of Health by any person claiming to be aggrieved or adversely affected by requesting a hearing within seven (7) days of receipt of the Order. The request for a hearing shall be delivered to the Board of Health in writing and addressed to the attention of the Health Commissioner.

Sincerely,

Joe Mazzola, MPA
Health Commissioner
Franklin County Public Health

JM:mb

Enclosure

c: MaryBeth Brown, REHS