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

November 14, 2023

Everclean Aeration Services Suzanne R. Strawser, Agent 6505 Borror Road Grove City, Ohio 43123

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

To Susanne R. Strawser:

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 array 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 November 14, 2023, the Board of Health adopted <u>Resolution 23-179</u>, attached hereto and incorporated herein, ORDERING you to:

- 1. Register with the Franklin County Board of Health each year including 2023 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 filling 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

Enclosures

c: MaryBeth Brown, REHS



#### Franklin County Public Health

280 East Broad Street · Columbus, Ohio · 43215-4562

#### 1ST NOTICE OF VIOLATION

September 8, 2023 Everclean Aeration Services P.O. Box 356 Grove City, OH 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.

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Everclean has failed to meet the conditions of Ohio Administrative Code 3701-29-03 (Sewage Treatment System Rules) and Ohio Revised Code 3718.

To be in compliance the following actions are required:

- 1. Everclean shall register with the Franklin County Board of Health each year including 2023 and pay the registration fee.
- 2. Everclean shall provide proof of compliance with testing requirements established by the department of health.
- 3. Everclean shall 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. Everclean shall provide proof of no less than five hundred thousand dollars general liability insurance coverage.
- 5. Everclean shall provide proof of completion of at least six continuing education hours during the previous calendar year through educational programs approved by the department of health, etc.

Franklin County Public Health 1st Notice of Violation – Page 2 September 1, 2023

You must comply with this Notice of Violation immediately unless a deviation from this schedule has been approved by this office. 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 Municipal Court, 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,

MaryBeth Brown, REHS Water Quality Supervisor

Mary Beth Brawn

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

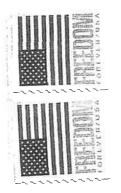
#### Service Provider Registration Application

Water Quality Program

Registration Fee: \$150.00
Required Documentation:

- Copy of certificate of passing Ohio's contractor test.
- Copy of State of Ohio surety bond (valid from Jan 1 Dec 31 of the registration year).
- Proof of no less than \$500,000 general liability insurance coverage.
- Proof of six (6) ODH approved continuing education hours during the previous calendar year.

Applicant Information	
Company Name	Contact Person
Everclean Aeration Services Inc	- Kerry Luikart
POBOX 350	City Crove City OH 71p Code 43123
Phone Number 614.539.9934	Everclean. Acration & gmail.com KLIKAT & Everclean Acrashan
Types of Systems You Service	
Aeration - NPDES Aeration - Septic to Lea	ıch 🛮 Pre-treatment to Leach 🖶 Evapo-Transpiration
□ Mound □ Drip Irrigation □ Other	
Manufacturer of Systems You Service	Jet 🗆 Multi-Flo 🗆 Nayadic 🗆 Norweco 🗀 Oldham
above is accurate and you agree to comply with	ner or authorized representative, the information providenthe requirements in 3701-29 of the Ohio Administrative
Signature  Signature  August Straw	Date
For Office Use Only  Contractor Testing Certificate Proof of Approved CEU (6)  Yes No Yes No	
Application Reviewed/Approved By: Registration	114455 11/22/23
	(for 4R 202



Franklin County Public Health are East Broad Street Columbus, drie 43215-4362

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

### Franklin County Public Health

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

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# Certificate of Completion

This certificate is awarded to

## suzanne strawser

representing

# **Everclean Aeration Services**

for successfully passing
the Sewage Treatment System Contractor Test
On

November 11, 2022

Test proctored by

Operator Training Committee of Ohio, Inc.
On-Line Computer Proctored Exam

Curtis L. Truss, Jr.

Curis L. Truss, Jr., OTCO Executive Director

# Certificate of Completion

This certificate is awarded to

## Nicholas Meyers

representing

Everclean Aeration Services

for successfully passing
the Servage Treatment System Contractor Test

November 11, 2022

Test proctared by

Operator Training Committee of Ohio, Inc.
On-Line Computer Proctored Exam

Curtis L. Truss, Jr.

Curtis L. Truss, Jr., OTCO Executive Director

OH- Challenging Wastewater & Changing Water Usage - Dr. Sara Heger (1-1/4 hrs.)

This Certificate of Completion is awarded to:

Everclean Aeration Services Nicholas Meyers



**Everclean Aeration Services** 

September 23, 2022

1.25 Hours for ODH Sanitarians Registration (CE-01581)

1.25 Hours for ODH Sewage Treatment System
Installers, Septage Haulers,
& Service Providers Registration

Michael Rogich

OH- O&M, Sampling & Wastewater Overview - Dr. Sara Heger (1-3/4 hrs.)

This Certificate of Completion is awarded to:

Everclean Aeration Services Suzanne Strawser/Nick Meyers



**Everclean Aeration Services** 

September 23, 2022

1.75 Hours for ODH Sanitarians Registration (CE-01581)

1.75 Hours for ODH Sewage Treatment System Installers, Septage Haulers, & Service Providers Registration

OH- Advanced Treatment Units - Jeremiah Gunia (1 hr.)

This Certificate of Completion is awarded to:

**Everclean Aeration Services Nicholas Meyers** 



**Everclean Aeration Services** 

September 26, 2022

1.0 Hours for ODH Sanitarians Registration (CE-01581)

1.0 Hours for ODH Sewage Treatment System
Installers, Septage Haulers,
& Service Providers Registration

OH- Troubleshooting Pumps & Controls - Jeremiah Gunia (1 hr.)

This Certificate of Completion is awarded to:

Everclean Aeration Services Nicholas Meyers



**Everclean Aeration Services** 

September 26, 2022

1.0 Hours for ODH Sanitarians Registration (CE-01581)

1.0 Hours for ODH Sewage Treatment System
Installers, Septage Haulers,
& Service Providers Registration

OH- Advanced Treatment Units - Jeremiah Gunia (1 hr.)

This Certificate of Completion is awarded to:

Everclean Aeration Services Nicholas Meyers



**Everclean Aeration Services** 

September 26, 2022

- 1.0 Hours for ODH Sanitarians Registration (CE-01581)
- 1.0 Hours for ODH Sewage Treatment System Installers, Septage Haulers,



December 8, 2022

Everclean Aeration Services 6479 SEEDS ROAD Grove City, Ohio 43123 John Strawser

Subject: Authorization to install, service and monitor the Enviro-Guard, Multi-Flo, Nayadic and Sybr-Aer systems.

Dear John:

This letter is to authorize you to install, service and monitor the Enviro-Guard, Multi-Flo, Nayadic, and Sybr-Aer aerobic treatment units manufactured and sold by Consolidated Treatment Systems, Inc.

This will also verify you have received factory supervised training in the proper installation and service of the unit; and are subject to annual review and evaluation in order to maintain this authorization.

This authorization is valid through December 31, 2023 and is contingent upon your continued compliance with the requirements of the state and local public health units. Qualified individuals or companies shall retain this documentation and provide it to the department or board of health upon request.

Sincerely,

Jeff Coomer President

JC/hm





#### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09/22/2022

THIS CERTIFICATE IS (SSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must have ADDITIONAL INSURED provisions or be endorsed.

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

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