



PUBLIC NOTICE

Jo Lynn Traub, Director of the Water Division, Region 5, United States Environmental Protection Agency (U.S. EPA) is requesting your comments on a Complaint, Docket Number SDWA-05-2007-0003, issued to Environmental Disposal Systems, Inc., (EDS) 199 W. Brown Street., Ste. 200, Birmingham, MI, 48009. In the Complaint, U.S. EPA Region 5 proposes to assess an administrative penalty of \$73,992 for violations of the conditions of EDS's underground injection control (UIC) permits, Nos. MI-163-1W-0006, MI-163-1W-C007 and MI-163-1W-C008, and U.S. EPA's UIC regulations, found in Title 40 of the Code of Federal Regulations (40 C.F.R.) Parts 124, 144, 146, 147 and 148 for injecting hazardous waste underground via Class I wells.

BACKGROUND

Part C of the Safe Drinking Water Act (SDWA) requires regulation of the underground injection of fluids through wells to assure that the quality of underground sources of drinking water are protected. Section 1422(c) of the SDWA requires the U.S.EPA to administer UIC programs in states which do not have approved UIC programs, which includes Michigan. More detailed information about the UIC program is at <http://www.epa.gov/r5water/uic/htm>.

ALLEGED VIOLATIONS

The Complaint addresses two injection wells at the EDS facility, known as Well 1-12 and Well 2-12, located at 28470 Citrin Drive in Romulus, T3S, R9E, Section 12, ¼ Section SE, Wayne County, Michigan. The Complaint also addresses another injection well, known as Well 1-20 constructed by EDS but never operated, located at T3S, R9E, Section 20, ¼ Section SE, Wayne County, Michigan. The Complaint alleges that the Respondent, EDS, violated the conditions of its permits by:

- 1) failing to provide information in response to a U.S. EPA information request;
- 2) failing to allow U.S. EPA inspectors access to records;
- 3) failing to maintain continuous monitoring records;
- 4) failing to adjust the cost estimates for closure and post closure of the wells;
- 5) failing to test the automatic warning and shut off system;
- 6) failing to conduct ambient monitoring of the pressure in the injection zone;
- 7) failing to submit quarterly reports;
- 8) failing to submit an annual report;
- 9) failing to have a trained well operator on site during injection; and
- 10) failing to submit a timely closure report for a plugged well.

PUBLIC COMMENTS

U.S. EPA will accept written comments within 30 days of this notice at the address listed below. If you want to participate in this proceeding, you must send your name, complete mailing address, and a statement that you want to participate in the proceeding to the Regional Hearing Clerk within 30 days of this notice. This statement and any comments must be postmarked by April 23, 2007.

Regional Hearing Clerk
Mail Code E-13J
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

To view of a copy of the Complaint, visit our internet web page for public notices:

<http://www.epa.gov/region5/publicnotices/>

For further information about this proceeding, contact: Leslie Patterson, Enforcement Officer, by: telephone, at (312)886-4904; or email, at patterson.leslie@epa.gov, or by mail at:

Leslie Patterson, Enforcement Officer
Mail Code WU-16J
US. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604