

SEPTAGE PROGRAM ADMINISTRATIVE ENFORCEMENT ACTIONS

Below is a listing of enforcement actions initiated by the Michigan Department of Environmental Quality starting in 2005. These actions include criminal charges, revocation of a septage waste firm license to pump and haul septage waste, or other civil actions as appropriate. The actions are authorized under Part 117, Septage Waste Servicers, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The actions were taken because of serious and/or repetitive violations of Part 117 and Part 31.

Name/Business	Type of Violation	Outcome
<p>Mr. Gary Brendel Port-A-Call 7820 East Allen Road Fenton, MI 48430</p> <p>Livingston County</p>	<p>Callers to DEQ reported in 2008 and 2009 that Port-A-Call was being operated without a septage waste servicers license.</p>	<p>2008 – DEQ OCI officers observed portable toilets with Port-A-Call logo. Officers met with owner to discuss licensing requirements.</p> <p>2009 – Reports to DEQ state that Port-A-Call is still in operation and still unlicensed. DEQ investigates and determines Port-A-Call is still in business.</p> <p>March 23, 2009 – Port-A-Call issued DEQ Notice Letter to cease all septage waste servicing until owner/business are properly licensed. Owner submitted application and fees – license pending CSE credits and vehicle inspection.</p>
<p>Mr. Bradley LaVoy Brad's Septic Tank Service 3115 W. Rauch Road Temperance, MI 48182</p> <p>DEQ Septage Lic. No. 58-16</p> <p>Monroe County</p>	<p>July 25, 2008 – Waste and Hazardous Materials (WHMD) staff of the DEQ conducted review of a complaint to determine Brad's Septic Tank Service compliance with Part 111, Hazardous Waste Management and Part 121, Liquid Industrial Wastes, of the NREPA, 1994 PA 451, as amended.</p>	<p>WHMD staff determined that Brad's Septic Tank Service transported both liquid industrial and hazardous wastes in a vehicle that was licensed under Part 117, Septage Waste Servicers, of the NREPA, 1994 PA 451, as amended.</p> <p>August 20, 2008 – Letter of Warning issued to Brad's Septic Tank Service to register as a liquid industrial waste (LIW) and hazardous waste hauler; provide a manifest for all LIW hauled; obtain a LIW site ID number; provide a detailed written program for compliance; explain the cause of the violations including steps taken to prevent reoccurrence. The above items are due September 15, 2008.</p>

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<p>Mr. Edward H. Morris III A & E Rental 10611 North Leaton Road Clare, MI 48617</p> <p>DEQ Septage Lic. No. 37-14</p> <p>Isabella County</p>	<p>October 10, 2006, staff from the Department of Environmental Quality (DEQ) from the Septage Program requested the DEQ Office of Criminal Investigation (OCI) to follow up on a possible violation of failing to properly dispose of septage by A & E Rental. A & E Rental is approved to dispose septage at the Gladwin Waste Water Treatment Plant (WWTP) only. OCI investigators found the Gladwin WWTP records showed no record that A & E Rental disposed there.</p> <p>June 21, 2007, OCI conducted a search warrant at A& E Rentals.</p> <p>The investigation revealed that Edward Morris of A & E Rental was under reporting to the DEQ the volumes of septage being disposed. Further, the holding tanks used by A & E Rentals, were discharging to the ground water of the State which is not permitted by the DEQ.</p>	<p>March 17, 2008, the Isabella 76th District Court issued a 3 count warrant for Edward Morris owner of A & E Rentals, a septage hauling business.</p> <p>On April 24, 2008, the Isabella 76th District Court bound Edward Morris, of A & E Rentals, over to Circuit Court for trial.</p> <p>August 11, 2008, in the Isabella 76th District Court, Edward Morris as part of plea agreement, pled no contest to attempted violation or false statement in a license application or a record required in Part 117. Mr. Morris was ordered to pay \$1250.00 in fines and \$720.00 in fees and court costs. Mr. Morris was also placed on one year reporting probation. During his probation, Mr. Morris cannot violate any DEQ or DNR laws.</p>
<p>Baldwin Municipal WWTP Village of Baldwin 5799 Grove Street Baldwin, MI 49304</p>	<p>The Village of Baldwin WWTP was accepting septage waste without DEQ authorization as required under Part 117.</p>	<p>8/5/08 – The DEQ issued a Cease and Desist order to village officials to stop accepting septage waste. The WWTP operator was ordered to contact the licensed septage waste businesses using the WWTP for septage disposal.</p>
<p>Mr. Todd Chmelik Kendall Septic dba Pit Stop Portable Restroom Svc./ Tyler J LLC 1417 Kooiman Avenue Grand Haven, MI 49417</p> <p>DEQ Septage Lic. No. 70-18</p> <p>Ottawa County</p>	<p>5/21/08 & 5/22/08 – Kendall pumped storm sewer catch basin, a liquid industrial waste, with a Part 117 licensed septage waste vehicle that was not registered or licensed under Part 121, Liquid Industrial Waste. The waste was transported to the firm's storage facility.</p>	<p>5/3/08 – The DEQ Waste & Hazardous Materials Division followed up with a warning letter requiring the hauler to apply get an ID number for the catch basin location and hire a Part 121 licensed firm to pump and properly dispose of this waste.</p>

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<p>Mr. George Socia Socia's Septic Service 35216 S. Socia Road Drummond Island, MI 49726</p> <p>DEQ Septage Lic. No. 17-11</p> <p>Chippewa County</p>	<p>7/24/07 – DEQ inspected the septage firm vehicle and land application site. Socia Septic Service was operating without a DEQ Septage Waste License as required in MCL 324.11702.</p>	<p>10/5/07 – Mr. George Socia pled “guilty” in the 91st District Court of Chippewa County to the charge of operating a septage waste business without a license. The Honorable Lowell Ulrich assessed a fine of \$1,000, court costs of \$400 and justice system cost of \$40.</p>
<p>Mr. Mark Hamel Mark Hamel Septic Service 745 County Road A1 Champion, MI 49814</p> <p>DEQ Septage Lic. No. 52-02</p> <p>Marquette County</p>	<p>4/23/07 – Marquette County Health Department inspected Hamel septage vehicle, land application site and records. The following Part 117 violations were noted: failure to get motor carrier safety inspection, failure to maintain a complete record of septage waste pumped, inconsistencies in volume records, failure to comply with SWRF service area requirements, failure to blend food establishment septage (FES) at required ratio, no crop planted on land application sites, non-uniform land application and improper screening of septage.</p> <p>The following federal regulation violations were noted: failure to provide land application certification statement, failure to test soil for cadmium and pcb.</p>	<p>7/20/07 – Marquette County Health Department issued hauler a Notice of Noncompliance Correction Order.</p> <p>Hauler is hereby ordered to: get federal vehicle safety inspection, resubmit corrected volume logs for 2006 and 2007, provide certification statement, abide by the Ishpeming SWRF service area, record FES pumped, properly blend FES, provide cadmium & pcb test results, install a splash plate on applicator, demonstrate land application technique, respond in writing on land application procedure, grow crops on land application sites. All due on September 1, 2007.</p> <p>The hauler is ordered to Cease and Desist the following activities: land application of septage waste pumped within a service area, land application of FES,</p>
<p>Ms. Barbara Martin Burrows Sanitation, dba Martin Service of South Haven 10181 Blue Star Highway South Haven, MI 49090</p> <p>DEQ Septage Lic. No. 80-02</p> <p>Van Buren County</p>	<p>7/18/07 – A pollution emergency alerting system (PEAS) call was made to the DEQ to report that Martin Services of South Haven was operating without a license and disposing septage contrary to the Septage Waste Law, Part 117.</p>	<p>The DEQ Office of Criminal Investigations followed up on the complaint.</p> <p>11/16/07 – A 5 count warrant was issued by the Van Buren County prosecutor's office.</p> <p>1/18/08 – Ms. Martin plead guilty to 3 counts and 2 counts were dismissed by the 7th District Court. Martin Services was ordered to pay \$3000 in fines and costs with one year to pay or face 30 days in jail on each count.</p>

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<p>Mr. Ralph Kingsley Ralph's Septic Pumping 7560 Rapid City Road Rapid City, MI 49676</p> <p>DEQ Septage Lic. No. 40-04</p> <p>Kalkaska County</p>	<p>1/19/07 – NWMCHA inspected the land application site and observed & photographed septage disposal to frozen soil, ponding septage, no screening and no incorporation.</p>	<p>9/24/07 – Administrative Consent Order issued this date. The stipulations agreed to include the following: Part 117 requirements will be followed including screening, uniform and agronomic application of septage waste to land. The respondent is ordered to discontinue use of their 77 acre site until certain requirements are met.</p> <p>Fines & Penalties – \$800.00 fine and a 3 year probationary period.</p>
<p>Mr. Kevin Allers Allers Septic Tank Service 23374 21 Mile Road Paris, MI 49338</p> <p>DEQ Septage Lic. No. 54-01</p> <p>Mecosta County</p>	<p>2/20/07 – Inspection by DHD No. 10 at Allers Septic Tank Service ID #1 revealed septage dumping on frozen soil, ponding septage, no incorporation, septage waste flowing into a wetland, septage waste not screened, non-uniform application to land, and septage waste not applied at agronomic rates.</p>	<p>8/14/07 – All parties have signed an Administrative Consent Order. The stipulations agreed to by the respondent include the following: stop all land application at site ID #1 located in Sec. 18, Green Twp., Mecosta County and shall no longer use land application as a means of septage disposal, site ID #1 will be incorporated and rye planted, submit an explanation to the DEQ regarding application practices, collect soil samples and submit results to the DEQ.</p> <p>Fines - \$25,000.00 will be paid over a year's time: \$10,000.00 to the DEQ and \$15,000.00 to DHD No. 10.</p> <p>5/10/07 – DEQ informal conference with Mr. Allers to discuss alleged violations of Part 117.</p>

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<p>Mr. James Schultz Schultz Septic Service 5415 South Oak Street Newaygo, MI 49337</p> <p>DEQ Septage Lic. No. 62-12</p> <p>Newaygo County</p>	<p>Ongoing land application issues that include stationary dumping that caused septage to flow into waters of the state, not meeting isolation requirements, not incorporating in a timely manner, not sampling for AAR purposes, not screening septage waste prior to land application.</p>	<p>7/3/07 - All parties have signed an Administrative Consent Order. The stipulations agreed to by the respondent include the following: suspend all septage waste servicing for 10 days beginning on 9/1/07, publish an article regarding past land application practices, cease land application at site ID #4 until a cropping plan is developed and approved by the DEQ, meet all Part 117 land application requirements.</p> <p>Fines - \$1,400.00 paid to the State of Michigan on a quarterly basis.</p> <p>3/14/07 – DEQ informal conference with Mr. Schultz to discuss alleged violations of Part 117.</p>
<p>Mr. Mark Hamel Mark Hamel Septic Service 745 County Road A1 Champion, MI 49814</p> <p>DEQ Septage Lic. No. 52-02</p> <p>Marquette County</p>	<p>4/23/07 – Incomplete septage waste volume records, land applying septage that was pumped within 15 radial miles of a septage waste receiving facility, land applying FES that was not mixed at the proper ratios, not conducting soil analysis to determine AAR, not sampling for Cd or PCB, not uniformly applying septage waste, not submitting cropping plans for 2007, not growing crops at their disposal sites, and ineffective screening.</p>	<p>7/20/07 - Marquette County Health Dept. issued a Notice of Noncompliance Correction Order to Mr. Hamel after inspecting his business, vehicles, and land application site on 4/23/07. Mr. Hamel was ordered by the HD to immediately cease the land application of septage and FES until he provided soil analysis results, cropping plan and calculated AAR per Part 117. Mr. Hamel was also ordered to submit corrected volume logs and get his vehicle inspected per the Motor Carrier Safety Act. The records and proof of inspection are due no later than 9/1/07.</p>

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<p>Mr. Todd Ogden Todd's Septic Service 111 W. Hayner Road Union City, MI 49036</p> <p>DEQ Septage Lic. No. 12-15</p> <p>Branch County</p>	<p>On 4/15/07 Mr. Ogden pumped 2,500 gallons of septage waste from a mobile home park and then dumped it on an unauthorized field adjacent to the park.</p>	<p>4/19/07 - Referral to DEQ Office of Criminal Investigation regarding complaint of the firm dumping 2,500 gal. of septage at an unauthorized site on 4/16/07.</p> <p>5/8/07 – Misdemeanor warrant issued for Mr. Todd Ogden for stated violations of Part 117.</p> <p>5/10/07 – Arraignment date. Mr. Ogden pleaded guilty as charged and will be sentenced in 3 weeks.</p> <p>6/7/07 – Mr. Ogden appeared before the 10th District Court for sentencing consisting of a \$100 fine, \$200 court costs and a \$40 judgment fee.</p>
<p>Clare County Septic 5415 East Grass Lake Road Clare, MI 48617</p> <p>DEQ Septage Lic. No. 37-10</p> <p>Isabella County</p>	<p>Local health department found that the company was applying to frozen soil, not screening and not incorporating.</p>	<p>2/2007 - Notice of Noncompliance (NNC) No. NC-02-07-01-001-SP - Requires response and compliance with law – outcome is pending, may result in criminal charges if practices continue.</p>
<p>Mr. Kevin C. Bibbins Bibbins Septic Service & Repair 2613 Bayberry Court Brooklyn, MI 49230</p> <p>DEQ Septage Lic. No. 38-46</p> <p>Jackson County</p>	<p>Operating vehicles without a septage license and failure to renew Septage Waste Licenses.</p>	<p>1/07 – Referral to DEQ Office of Criminal Investigation.</p> <p>5/7/07 – Mr. Bibbins appeared in 12th District Court in Jackson and plead guilty to charge. After initiating investigation, Mr. Bibbins paid septage servicing fees and late penalties. Mr. Bibbins ordered by court to pay \$300.00 fine.</p>
<p>Cease and Desist Order Lexington Wastewater Treatment Plant 7227 Huron Avenue Suite 100 Lexington, Michigan 48450</p>	<p>City of Lexington was found to be operating a receiving facility without an approved operating plan despite multiple requests by DEQ to submit documents.</p>	<p>12/06 - Lexington agreed to submit plan, and to temporarily suspend operations by end of December, 2006.</p>
<p>Ms. Barbara Gibis and Mr. Keith Gibis Gibis Excavating 2695 East Maple Road Clare, MI 48617</p> <p>DEQ Septage Lic. No 18-01 Clare County</p>	<p>DEQ and health department inspections during the fall of 2006 revealed failure to screen septage, incorporate in a timely manner, expired license, not applying septage waste at agronomic application rates.</p>	<p>9/3/06 - Mr. Keith Gibis entered into a compliance agreement to abide by all applicable laws, to immediately incorporate septage, etc or face license revocation and possible criminal charges – now in effect.</p>

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<p>Mr. Duane P. Bills, Jr. B & B Septic Sewer Co. 8261 Foster Road Clarkston, MI 48346</p> <p>DEQ Septage Lic. No. 63-30</p> <p>Oakland County</p>	<p>Operating vehicles without a septage license and failure to renew Septage Waste Licenses.</p>	<p>7/24/06 - Notice letter issued by Oakland County Health Division.</p> <p>Septage firm ordered to make application no later than August 10, 2006, or lose privileges to discharge at Oakland County receiving facilities. Now in compliance</p>
<p>Mr. Brent Bunner Brent Bunner Septic 725 Country Side Lane Oakland, MI 48363</p> <p>DEQ Septage Lic. No. 63-62</p> <p>Oakland County</p>	<p>Operating vehicles without a septage license and failure to renew Septage Waste Licenses.</p>	<p>7/24/06 - Notice letter issued by Oakland County Health Division.</p> <p>Septage firm ordered to make application no later than August 10, 2006, or lose privileges to discharge at Oakland County receiving facilities. Issue resolved.</p>
<p>Mr. Trent Woolf Trent Woolf Porta Johns 128 West Copeland Road Bronson, MI 49028</p> <p>DEQ Septage Lic. No. 12-17 Branch County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>2/9/06 - Notice of Violation (NOV) issued to Mr. Woolf.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. Randall Earl Koth R & R Waste 403 East Buffalo Street New Buffalo, MI 49117</p> <p>DEQ Septage Lic. No. 11-10 Berrien County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>2/9/06 - Notice of Violation (NOV) issued to Mr. Koth.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. Patrick Volk Chain O' Lakes Septic 6445 Maywood Lane P.O. Box 218 Three Lakes, WI 54562</p> <p>DEQ Septage Lic. No. 86-12 Wisconsin</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>2/9/06 - Notice of Violation (NOV) issued to Mr. Volk.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan. Business restarted in 2006, now licensed.</p>
<p>Mr. David C. Imhoff Imhoff's 11719 North Lakeview Road Lakeview, MI 48850</p> <p>DEQ Septage Lic. No. 59-02 Montcalm County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan</p>

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<p>Mr. Robert Walby R & L Trucking Co., Inc. 66 Feller Drive Brooklyn, MI 49230</p> <p>DEQ Septage Lic. No. 38-39 Jackson County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. Christopher G. Thompson A-1 Septic Tank Service 3594 Burrel Road P.O. Box 827 Bellaire, MI 49615</p> <p>DEQ Septage Lic. No. 05-08 Antrim County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. Robert E. Curtis Dolph Excavating & Septic Service 66194 Cassopolis Road Cassopolis, MI 49031</p> <p>DEQ Septage Lic. No. 84-11 Indiana</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. Mark Cade Mark Cade Septic Tank Pumping 242 East Copeland Road Coldwater, MI 49036</p> <p>DEQ Septage Lic. No. 12-06 Branch County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. Rocky Reeves Reeves Septic Service 52340 Meade Street Dowagiac, MI 49047</p> <p>DEQ Septage Lic. No. 14-08 Cass County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>
<p>Mr. David Krugh A-1 Septic 7140 Pipestone Road Eau Claire, MI 49111</p> <p>DEQ Septage Lic. No. 11-24 Berrien County</p>	<p>Failure to renew Septage Waste License per MCL 234.11701.</p>	<p>Notice of Violation (NOV) issued to hauler on February 9, 2006.</p> <p>This septage firm is not licensed to pump and haul septage waste in Michigan.</p>

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<p>Mr. Robert B. Satkowiak R.B. Satkowiak's City Sewer Cleaners, Inc.</p> <p>DEQ Septage Lic. No. 08-06</p> <p>Saginaw County</p>	<p>DEQ Search Warrant – Investigated possible direct discharges and improper disposal of septage.</p>	<p>1/06 – Mr. Satkowiak was found to have been using a “dummy” sample for analysis at a local WWTP. The truck actually would carry excessive grease waste, a violation of Saginaw’s Industrial Pretreatment Program. The City of Saginaw fined the company and temporarily banned them from discharging.</p>
<p>Sodergren Septic Service 1106 Cooper Lake Road Ishpeming, MI 49849</p> <p>DEQ Septage Lic. No 52-04 Marquette County</p>	<p>Criminal investigation into the use of a trailer that had not been licensed. Mr. Sodergren did not feel trailers should have to be licensed despite repeated directives from DEQ and the health department.</p>	<p>1/13/06 - Office of Criminal investigations interviewed Mr. Sodergren. Case presented to local prosecutor on January 25, 2006. Prosecutor ordered Sodergren to comply with law by March 31, 2006 or face charges. Sodergren complied.</p>
<p>Mr. Donald Martin Prus Homeowner</p> <p>Jackson County</p>	<p>Land applying septage without a Michigan septage permit in November 2004.</p>	<p>11/2/05 – Mr. Prus appeared in 12th District Court, Jackson County, for sentencing. Mr. Prus ordered to pay \$125 fine within 60 days. No probation assessed and the court case file will be closed upon payment of the fine.</p>
<p>Mr. Ralph Scott Scott Septic Tank Service Inc. 4896 Grass Lake Road Oscoda, MI 48750</p> <p>DEQ Septage Lic. No. 35-06 Iosco County</p>	<p>No vector attraction reduction or pathogen reduction.</p> <p>Not applying septage at agronomic rates.</p> <p>Failure to develop and maintain land application records.</p>	<p>9/1/05 - EPA issued a Consent Agreement and Final Order.</p> <p>\$6,000 settlement.</p>
<p>Mr. Clinton Jones Casey's Excavating & Sanitation, Inc. 9740 Jones Road Dowling, Michigan 49050</p> <p>DEQ Septage Lic. No. 08-06 Barry County</p>	<p>Servicing within 15 miles of a receiving facility.</p> <p>Applying to steep slopes.</p> <p>Failure to keep records.</p> <p>Failure to incorporate septage.</p> <p>Applying to frozen ground without DEQ authorization.</p> <p>Not applying at agronomic rate.</p>	<p>7/26/06 - License revocation hearing held at Constitution Hall, Lansing, MI.</p> <p>10/17/06 - DEQ consent agreement signed. \$800 in fines and costs, loss of land application privileges, etc.</p>

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<p>Scott Dyer and Bill Dyer Herzog and Scotty's</p> <p>DEQ Septage Lic. Nos. 86-16 and 86-17 Wisconsin</p>	<p>Criminal investigation into these two Wisconsin haulers doing business in Michigan without licenses.</p>	<p>Both ordered to obtain licensure – both complied in 2005.</p>
<p>Sean R. Cox A&R Septic Tank Cleaning Service 121 Woodstock Street Cement City, MI 49233</p> <p>DEQ Septage Lic. No. 46-04 Lenawee County</p>	<p>Disposing septage on frozen ground at an unauthorized land site.</p> <p>Failure to meet water well isolation distance setback.</p>	<p>3/25/05 - Notice of Noncompliance and referral to DEQ Office of Criminal Investigations.</p> <p>7/20/05 – Mr. Cox pled guilty to all charges at the 2nd District Court, Hillsdale County. Mr. Cox was charged with the following two Septage Waste misdemeanors: 1. Servicer Violations MCL 324.11719(3) 2. Disposal on Land without a Permit. MCL 324:11709</p> <p>On count 1, Mr. Cox was ordered to pay \$1,000 and \$140 in court costs. On count 2, Mr. Cox was fined \$100 and ordered to pay \$140 in court costs. Total fines and costs equaled \$1,380.</p> <p>Mr. Cox voluntarily turned in his septage license.</p>
<p>Mr. Michael D. Gmoser Gmoser Portable Toilets 8674 Cairn Highway Elk Rapids, MI 49629</p> <p>Antrim County</p>	<p>Operating a septage business without a Septage Program license.</p>	<p>3/24/05 - Notice of Noncompliance issued to firm.</p> <p>Mr. Gmoser voluntarily gave up his license and sold the business.</p>
<p>Mr. Donald R. Irving A & D Septic Tank 211 South Grove Street Delton, MI 49046</p> <p>DEQ Septage Lic. No. 08-08 Barry County</p>	<p>Disposing septage on frozen ground without DEQ authorization.</p> <p>Servicing within 15 miles of a receiving facility.</p> <p>Second Notice of Noncompliance (NNC) due to inadequate response to first NNC.</p>	<p>1/25/05 - Notice Letter and Notice of Noncompliance (NNC) issued.</p> <p>4/12/05 - Second NNC issued July 21, 2005.</p> <p>7/28/05 - Acceptable response to second NNC received. Agreed to abide by NNC and Part 117 - Case resolved.</p>

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<p>Mr. David D. Smith Overmyer Sewer and Septic Service 1101 Woodworth Road Jackson, MI 49202</p> <p>DEQ Septage Lic. No. 38-29</p> <p>Jackson County</p>	<p>10/7/04 - Direct discharge of septage from the pump truck by the driver, Mr. Todd M. Thayer, into the Grand River.</p>	<p>10/7/04 – Complaint referred to DEQ Office of Criminal Investigation. .</p> <p>10/7/05 - The defendant, Mr. Todd M. Thayer pled no contest in the 12th District Court, Jackson County. Fined \$150.00.</p>
<p>Mr. Fredrick M. Maki J.F.K. Maki P.O. Box 63 Watton, MI 49970</p> <p>DEQ Septage Lic. No 07-01 (suspended) Baraga County</p>	<p>Dumping septage at unauthorized disposal sites.</p> <p>Operating without a Michigan septage license.</p>	<p>9/8/04 - Criminal investigation referral to the DEQ Office of Criminal Investigations.</p> <p>11/1/05 – Mr. Maki appeared before the 97th Judicial District Court and pled guilty to one count of Part 117 disposal violations. The other 2 counts were dismissed and Mr. Maki was sentenced to 14 days in jail and given credit for time served.</p> <p>As a result of this investigation, Mr. Maki was arrested for a probation violation in regards to a warrant issued by the Yuma, AZ authorities. Mr. Maki waived extradition and was transported to Arizona to face charges. After serving a sentence in Arizona, Mr. Maki returned to Michigan. A compliance agreement was signed that requires adherence to the law in order to continue in the septage business.</p>