



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO ATTENTION OF
ECW-15J

VIA ELECTRONIC MAIL

Brent and Glenda Martin Farm
Attention: Brent and Glenda Martin
10462 South 450 West
Silver Lake, Indiana
brentmartin1967@gmail.com

Subject: Notice of Violation for failing to comply with the Administrative Order on Consent issued on August 31, 2022.

Dear Mr. and Mrs. Martin:

Under the Administrative Order on Consent (AOC) that you entered into with the U.S. Environmental Protection Agency, you are required to submit specific documents and plans to EPA. To date, EPA has not yet received the following:

1. The Compliance Plan required by paragraph 46 of the AOC that was due December 14, 2022;
2. The list of contacts for a spill or discharge required by paragraph 49 that was due on September 30, 2022;
3. The Compliance Certification required by paragraph 56 that was required with each submittal such as on November 30 and December 5, 2022, with the submittal of the photographs of the interim measures; and
4. A narrative explanation of interim measures as required under paragraph 45 that was due on November 30 and December 5, 2022 with the photographs of the interim measures.

Thank you for the interim measures photographs you provided on November 30 and December 5, 2022. EPA discussed the AOC and its requirements with you on a conference call on November 14, 2022 and followed up with emails on November 14, 2022 and December 6, 2022. On January 5, 2023, during an on-site inspection, EPA explained that we had not received these required submittals.

Failure to timely submit these documents constitutes violations of the AOC. EPA reminds you that you must submit all documents required by the AOC. As specified in paragraph 68 of the AOC, the original violations and failure to adhere to the AOC could result in further enforcement, including monetary penalties. Please note this letter is not a demand that you pay any penalties at this time. However, you must promptly correct and complete the outstanding requirements of the AOC. In addition, note that paragraphs 56 and 57 of the AOC include certification language required to be included with every submittal.

Please promptly email the four submittals noted above to EPA as required in paragraph 54 of the AOC at burdett.cheryl@epa.gov, R5weca@epa.gov, and carlson.deborahA@epa.gov. Alternatively, you can mail the submittals to Cheryl Burdett, EPA, 77 West Jackson Boulevard, ECW-15J, Chicago, IL 60604.

If you have any questions about this letter, please contact Cheryl Burdett at 312-886-1463 or by e-mail at burdett.cheryl@epa.gov or Deborah Carlson, Associate Regional Counsel, at 312-353-6121 or by e-mail at carlson.deborahA@epa.gov.

Sincerely,

Michael D. Harris, Director
Enforcement and Compliance Assurance Division