

NEBRASKA

Good Life. Great Resources.

Agenda Item # 23a
Date 1/13/21



Pete Ricketts, Governor

DEPT. OF ENVIRONMENT AND ENERGY
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 16 2020

Mr. Tom Mullally
Mullally Plumbing & Heating
1040 Catalpa St
North Bend, NE 68649

COPY

RE: **LETTER OF NON-COMPLIANCE (LNC)**
Title 124 Requirements
Notification No. 030617-MW-1430
Former Matthew and Cody Woehl Farm
1580 County Rd 11, North Bend, Nebraska

COPY

2020 DEC 28 PM 1:32
RECEIVED
DEPT. OF ENVIRONMENT AND ENERGY

NDEE ID: 397579/ OWT 1293 109336/ TS30886

Dear Mr. Mullally:

This Letter of Non-Compliance is issued to you for failure to meet the requirements of the Nebraska Department of Environment and Energy (NDEE) and to demonstrate compliance with NAC Title 124-Rules and Regulations for the Design, Operation and Maintenance of Onsite Wastewater Treatment Systems. The violations were determined based on information the Department received on March 6, 2017.

- A. **Title 124, Chapter 22, Section 001; failure to register an onsite wastewater treatment system within 45 days of completion.** Specifically, the onsite wastewater system serving the dwelling at 1580 County Rd 11, North Bend, Nebraska has not been registered with the Department. Previous correspondence was issued December 31, 2019, February 6, 2020, and August 4, 2020.

The Department has determined that the following action must be taken to correct these violations. You are required to complete the following tasks and provide written confirmation of completion by the date indicated.

1. **Before January 15, 2021** submit a system registration, \$140.00 system registration fee, and \$450.00 late fee to the Department.

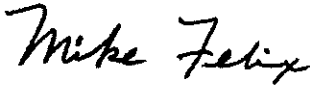
This letter is the Department's request for voluntary compliance on your part with the requirements stated above. Your prompt compliance in addressing these violations will be considered in deciding whether further enforcement is necessary. Enforcement action may include issuance of an administrative order or referral to the Attorney General seeking injunctive relief, penalties of up to \$10,000 per day per

violation, or both. Compliance with this request does not mean that further enforcement action relative to these violations will not be considered.

Copies of agency guidance and regulations are available upon request or can be accessed at the Department's website at: <http://dee.ne.gov>. Please submit the required information and direct all responses to this letter to:

Tricia Scott
NDEE Onsite Wastewater Section
PO Box 98922
Lincoln, NE 68509-8922
Phone: 402-471-4372
Tricia.scott@nebraska.gov

Sincerely,



Mike Felix
Acting Division Administrator
Inspection and Compliance Division

Cc: Dodge County Planning and Zoning
Andrew & Kelsie Snodgrass, 1580 County Road 11, North Bend, NE 68649
Mullally Plumbing & Heating, PO Box 400, North Bend, NE 68649

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DODGE COUNTY HIGHWAY DEPT