



Bureau of Environmental Health  
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TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: www.hchealth.org

Peter L. Beilenson, M.D., M.P.H., Health Officer

**NOTICE OF VIOLATION**

**SENT VIA CERTIFIED MAIL:  
RETURN RECEIPT REQUESTED**

September 18, 2008

Kevin P. McCann  
Patricia G. McCann  
13744 Lakeside Drive  
Clarksville, Maryland 21029

RE: **Compromised Septic Reserve Area**  
13744 Lakeside Drive  
Clarksville, MD. 21029  
Tax Map 34, Grid 7, Parcel 396

Dear Mr. & Mrs. McCann:

On Wednesday, September 10, 2008, Robert Bricker and I observed an excavation on your property. The location appeared to be proximate to your septic system. An immediate investigation revealed that Dynatemp Company was installing a horizontal geothermal ground loop in trenches. Upon returning to our office and researching your Health Department well and septic records, the geothermal loop trench seemed to compromise your established 10,000 sq. ft. septic reserve area. On September 11, 2008, Sanitarian Brian Baker was sent to your property to get exact measurements of the trench. After comparing this information with your signed Percolation Certification Plan, the geothermal loop is indeed running directly through your septic reserve area.

This installation is in violation of COMAR 26.04.03.03(1) - For each dwelling unit a minimum area of 10,000 square feet exclusive of buildings, easements, right-of-ways, and other permanent or physical objects, shall be provided for the subsurface disposal of sewage.

Given these finding, the following options shall be considered:

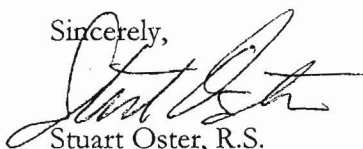
- 1) The newly installed loop can be fully removed from all of the currently defined septic reserve area and relocated to a different portion of the property or;
- 2) You can apply for additional percolation testing to establish an equivalent area lost by the geothermal loop installation.

If satisfactory soil test results and sufficient new area are identified, then you shall submit a revised Percolation Certification Plan highlighting the newly established septic reserved area and “abandoning” that area now being used for the geothermal loop – See Howard County Code 3.805. - PERC certification plan requirements. If sufficient satisfactory soils are not identified or are precluded due to other required setbacks, then the loop shall need to be removed

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request a formal hearing before the Board of Health within 15 (fifteen) days of receipt of this letter. All requests are to be made in writing and directed to the Executive Secretary of the Board of Health at the above address.

If you have any questions regarding this letter, please contact me at the Bureau of Environmental Health at 410-313-1771.

Sincerely,



Stuart Oster, R.S.

Bureau of Environmental Health  
Well and Septic Program

C: Executive Secretary, Board of Health  
Department of Inspections, Licenses and Permits, Avis Corbin  
Dynatemp  
File

## FILE INQUIRY NOTES

DATE	RESULTS OF REVIEW FOR FILE
9/11/08	<p>Stuart asked me to check and see if septic easement on property had been disturbed. Robert and him had driven by house the previous day and had noticed digging in back yard. Geothermal lines had been looped through easement. The ditches for the loops were 6' deep and 2' wide. The loops were placed in the bottom 2'-2.5' of the ditches. Ditches located in field and drawn on copy of site plan. Told installers that loops would have to be relocated or could try to relocate septic easement. Some large pockets of rock encountered by installer especially near house and a large shallow pocket at end of loop in easement. Clay loams had a depth of 3.5'-5' in middle of easement. Informed Sarah and Stuart of situation. Sarah going on vacation - told installer to call Stuart. Homeowners will have to be contacted. (BB)</p>
	<p>Installer - Dynatemp (301) 625-6500                      Fax (301) 625-5915                      → Contact: Chip (Installation Manager)</p>

(over)

12059 Tech Rd S.S., MD. 20904

9/25/08 Spoke to Tom Harkshaw of Dynastemp  
(240) 450-1610 Explained that they need to  
repair & establish area lost (SC)



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FAQs

## Search Results

Label/Receipt Number: **7003 1010 0001 7268 2820**  
Detailed Results:

- Delivered, September 19, 2008, 12:53 pm, CLARKSVILLE, MD 21029
- Arrival at Unit, September 19, 2008, 9:47 am, CLARKSVILLE, MD 21029

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Sent To: *Kevin & Pat McCann*  
 Street, Apt. No., or PO Box No.: *13744 Lakeside Dr*  
 City, State, ZIP+4: *Clarksville, MD*

Postage	\$
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*9/19/08*

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<p>1. Article Addressed to:</p> <p><i>Kevin &amp; Patricia McCann          13744 Lakeside Dr          Clarksville, MD 21029</i></p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number          (Transfer from service label)</p>	<p><b>7003 1010 0001 7268 2820</b></p>

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540