



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: **Illegal Disposal
Glen Cook Site
Defiance County**

June 5, 2009

Certified Mail 7007 2560 0000 4485 6628

Mr. Glen Cook
7495 State Route 8
Butler, Indiana 46721

Dear Mr. Cook:

On April 29, 2009, I, representing the Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM), conducted an inspection of the property you own or otherwise control located at 525 South Main Street, Hicksville, Defiance County, Ohio. The owner/operator was not represented during my visit to the property.

Several piles of debris as would result from scrapping metal from house trailers were observed on both sides of the driveway that runs past the house and towards the back of the property. The piles consisted of: wood, insulation, cardboard and other miscellaneous debris. Please see enclosed photos.

The wood, insulation, cardboard and other miscellaneous debris are considered construction and demolition debris (C&DD). C&DD is defined in Ohio Administrative Code (OAC) 3745-400-01(F) as (in pertinent part):

"Construction and demolition debris" or "debris" means those materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any manmade physical structure, including, without limitation, houses, buildings, industrial or commercial facilities, or roadways ...

Illegal disposal is defined in OAC Rule 3745-400-01(S) (in pertinent part) as:

"Illegal disposal" means the disposal of construction and demolition debris at any place other than a construction and demolition debris disposal facility ... or a solid waste disposal facility ...

The owner/operator of the property is in violation of OAC Rule 3745-400-04(B) and Ohio Revised Code (ORC) Section 3714.13, which state:

1. OAC 3745-400-04(B) (in pertinent part):

No person shall conduct or allow illegal disposal of construction and demolition debris, ...

2. ORC § 3714.13(B):

No person shall violate a rule adopted under this chapter.

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In addition, you were issued Director's Final Findings and Orders (DFFOs) dated August 10, 2006. Order number 3 of the DFFOs required you to "immediately cease acceptance and disposal of all C&DD at the Property."

3. You are in violation of Order number 3 of the August 10, 2006, DFFOs for accepting and disposing of additional C&DD on or at the property.

You will continue to be in violation of Order number 3 of the August 10, 2006, DFFOs until all C&DD is removed from the property and you permanently cease acceptance and disposal of C&DD at the property.

All C&DD disposed at this site must be removed and properly disposed at a licensed disposal facility. These violations will continue until all waste material is removed and properly disposed. Forward receipts documenting the proper disposal of these materials to:

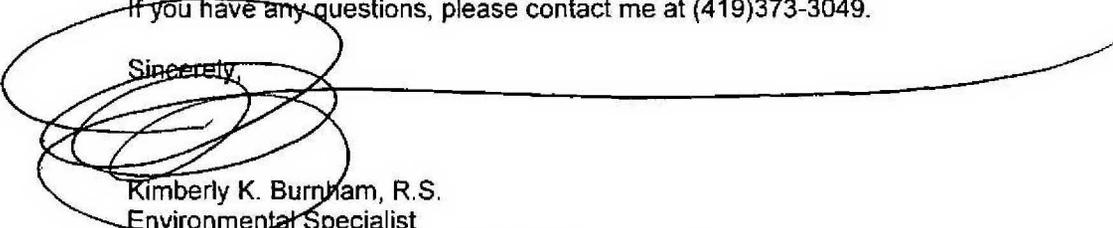
Ohio EPA – NWDO
Attn: Kimberly Burnham
347 North Dunbridge Road
Bowling Green, Ohio 43402

This correspondence addresses specific observations only for the areas of the property that were inspected. Nothing present in, nor absent from, this correspondence is intended to mean that no other violations existed at the site at the time of inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the owner/operator of the property from their obligations to comply with other applicable state and federal laws and regulations.

If you have any questions, please contact me at (419)373-3049.

Sincerely,



Kimberly K. Burnham, R.S.
Environmental Specialist
Division of Solid & Infectious Waste Management

/cs
Enclosure

pc: Kim Moss, Defiance County Health Department
Glenn Eisen, Village of Hicksville
Bruce Guilford (enclosure)
Matt Boyer, DSIWM, CO
Harry Smail, DSIWM, CO
Kimberly Burnham, DSIWM, NWDO
~~DSIWM, NWDO File: Defiance County, Dump Sites (enclosure)~~
ec: Mike Reiser, DSIWM, NWDO



04/29/2009 03:45 pm



04/29/2009 03:45 pm

7007 2560 0000 4485 6628

Sent To: Mr. Glen Cook
Street, Apt. No.: 7495 St. Rte. 8
or PO Box No.:
City, State, ZIP+4: Butler, IN 46721

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. Glen Cook
7495 St. Rte. 8
Butler, In 46721

2. 7007 2560 0000 4485 6628

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 Addressee

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BC: 43402939847 *0712-03141-26-40
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RETURN TO SENDER
469 SE 1 22 06/28/09

MR GLEN COOK
7495 ST RTE 8
BUTLER IN 46721

6-10
6-18
6-25

02 1A \$ 05.54
0004351280 JUN 08 2009
MAILED FROM ZIP CODE 43402



COOK

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Ohio EPA
State of Ohio Environmental Protection Agency
Northwest District Office
347 North Dunbridge Road
Bowling Green, Ohio 43402-9398
EPA 2110 (rev. 4/96)

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