



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.ohio.gov

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

Re: Putnam County
Notice of Violation
DSIWM Case No. 09-73

February 18, 2010

Certified Mail 7007 2560 0000 4479 2223

The Honorable Robert Heidenescher
Mayor of the Village of Dupont
403 East Cedar Street
P. O. Box 55
Dupont, Ohio 45837

Dear Mayor Heidenescher:

On December 1, 2009, the Ohio Environmental Protection Agency (Ohio EPA) received a complaint regarding dumping of construction and demolition debris (C&DD) off of Road H-22 near the Auglaize River. According to the complainant, the Village of Dupont was responsible for the dumping. Ohio EPA investigated the complaint with an inspection of the property on December 16, 2009. Present for the inspection were myself and Jeremy Scoles, both representing Ohio EPA. During the inspection we observed a pile of C&DD dumped in a "pull off" between the Auglaize River and Road H-22. During a February 9, 2010, phone conversation you admitted that the dumping was the result of miscommunication with village officials and that the Village of Dupont is responsible for the dumping. You indicated that the C&DD would be removed and properly disposed of as soon as weather permitted.

For the purpose of C&DD, Ohio Administrative Code (OAC) Rule 3745-400-01(S) defines illegal disposal as, "the disposal of construction and demolition at any place other than a construction and demolition debris disposal facility operated in accordance with Chapter 3714 of the Revised Code, and Chapters 3745-400 and 3745-37 of the Administrative Code, a solid waste disposal facility operated in accordance with Chapter 3745-27 of the Administrative Code, and licensed in accordance with Chapter 3745-37 of the Administrative Code, or as otherwise authorized by this Chapter."

OAC Rule 3745-400-04(B) states, "No person shall conduct or allow illegal disposal of construction and demolition debris, as defined in rule 3745-400-01 of the Administrative Code."

The Village of Dupont is therefore in violation of OAC Rule 3745-400-04(B) for conducting illegal disposal of C&DD.

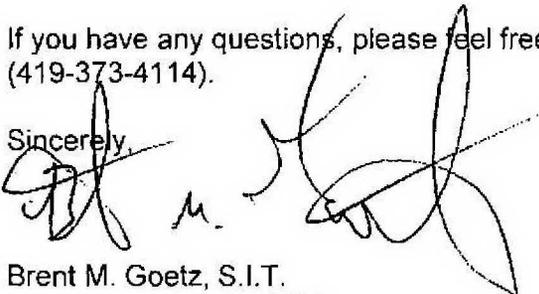
The Honorable Robert Heidenescher
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In order to resolve this violation, the Village of Dupont must provide documentation that the C&DD has been removed and properly disposed of within 30 days of receipt of this letter. The documentation must include photos of the property after the materials have been removed and disposal receipts documenting proper disposal of the C&DD.

Additionally, during our February 9, 2010, conversation you enquired about the proper management of yard waste generated within the Village of Dupont. For your convenience I have enclosed information regarding Class IV compost facilities. In addition to registering a property as a Class IV compost facility the Village of Dupont also has the option of storing yard waste for a temporary period of time and then hauling it to a nearby registered compost facility.

If you have any questions, please feel free to contact me at Ohio EPA, Northwest District Office (419-373-4114).

Sincerely,



Brent M. Goetz, S.I.T.
Environmental Specialist
Division of Solid & Infectious Waste Management

/cs

Enclosure

pc: ~~DSIWM, NWDO File: Putnam County, Dump Sites~~

ec: Mike Reiser, DSIWM, NWDO

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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. 	<p>A. Signature <i>Robert Heidenecker</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Amber Heidenecker</i></p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p><i>Robert Heidenecker Village of Depont 403 E. Cedar St. PO Box 55 Depont, Ohio 45837</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</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. <input type="text" value="7007 2560 0000 4479 2223"/></p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt <i>Heidenecker/Depont/CO</i> PUTNAM COUNTY 102595-02-M-1540</p>	

U.S. Postal Service™ <i>Heidenecker/Depont/CO</i> CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)											
For delivery information visit our website at www.usps.com											
<i>Robert Heidenecker</i> OFFICIAL USE											
<table border="1"> <tr><td>Postage</td><td>\$</td></tr> <tr><td>Certified Fee</td><td></td></tr> <tr><td>Return Receipt Fee (Endorsement Required)</td><td></td></tr> <tr><td>Restricted Delivery Fee (Endorsement Required)</td><td></td></tr> <tr><td>Total Postage & Fees</td><td>\$</td></tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	<div style="text-align: center;"> Ohio EPA Postmark Here  </div>
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PS Form 3800, August 2006 See Reverse for Instructions											

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