



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: 7075 Road R
Open Dumping - NOV
Williams County

April 15, 2009

Mr. Dean Calhoun
548 Race Street
Coldwater, Michigan 49036

Dear Mr. Calhoun:

On April 2, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Solid and Infectious Waste Management (DSIWM), visited your property located at 7075 Road R, Montpelier, Ohio, owned by Coldwater Veneer, Inc. The property is identified as parcel #093-170-00-004, legal description of R.3 T.9 S.17 S ¼ W ½ & S ½ SW NW & N ½ NW SW 100.37A, by the Williams County Auditor. I, along with Mr. Tom Cikotte of the Division of Air Pollution Control (DAPC), represented Ohio EPA. Mr. Todd Gearhart and his son were present during the visit.

During my visit, I observed the burnt remains of a demolished house that was still smoldering. Please be aware that Ohio EPA has rules governing the disposal of solid waste. Once a structure is burnt, the remains become a solid waste and must be handled appropriately.

Solid waste is defined in Ohio Administrative Code (OAC) Rule 3745-27-01(S)(23) as (in pertinent part):

"Solid waste" means such unwanted residual solid or semisolid material, including but not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt and debris, as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that normally would be included in demolition debris, nontoxic fly ash and bottom ash, . . . , and includes, but is not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt, and debris. Solid waste does not include any material that is an infectious waste or a hazardous waste.

The final deposition of solid wastes on or into the ground at any place other than a solid waste facility operated in accordance with Chapter 3734. of the Revised Code, and Chapters 3745-27, 3745-29, 3745-30, and 3745-37 of the Administrative Code constitutes **open dumping**. OAC Rule 3745-27-05(C) states, "No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed."

The owner of the identified property above is in violation of the following rules and laws:

1. OAC Rule 3745-27-05(C):
No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.

Open dumping is defined in OAC Rule 3745-27-01(O)(4) as (in pertinent part):

"Open dumping" means the following: (a) The deposition of solid wastes, other than scrap tires, into waters of the state, and also means the final deposition of solid wastes on or into the ground at any place other than a solid waste facility operated in accordance with Chapter 3734. of the Revised Code, and Chapters 3745-27, 3745-29, 3745-30, and 3745-37 of the Administrative Code.

2. Ohio Revised Code (ORC) § 3734.03:
No person shall dispose of solid waste by open burning or open dumping, except as authorized by the director of environmental protection in rules adopted in accordance with division (V) of section 3734.01, section 3734.02, or sections 3734.70 to 3734.73 of the Revised Code and except for burying or burning the body of a dead animal as authorized by section 941.14 of the Revised Code. No person shall dispose of treated or untreated infectious waste by open burning or open dumping.
3. OAC Rule 3745-27-02(A) (in pertinent part):
. . . no person shall establish or modify a solid waste facility. . . without obtaining a permit to install issued by the director . . .
4. ORC § 3734.02(C) (in pertinent part):
. . . no person shall establish a new solid waste facility, or modify an existing solid waste facility, without submitting an application for a permit with accompanying detail plans, specifications, and information regarding the facility and method of operation and receiving a permit issued by the director . . .
5. OAC Rule 3745-37-01(A) (in pertinent part):
No person shall conduct municipal solid waste landfill, industrial solid waste landfill, residual solid waste landfill, compost facility, transfer facility, infectious waste treatment facility, or solid waste incineration facility operations without possessing a separate, valid license for each such operation, as required by Chapter 3734. of the Revised Code and the Administrative Code rules adopted thereunder . . .

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6. ORC § 3734.05(A)(1) (in pertinent part):

... no person shall operate or maintain a solid waste facility without a license issued under this division by the board of health of the health district in which the facility is located or by the director of environmental protection when the health district in which the facility is located is not on the approved list under section 3734.08 of the Revised Code . . .

Please ensure open dumping and open burning of solid waste ceases and will not occur at any of your properties. Failure to comply with OAC Chapter 3745-27 may result in escalated enforcement actions against you.

This correspondence addressed 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 property 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 you from your obligations to comply with other applicable state and federal laws and regulations.

Sincerely,



Jeremy Scoles, RS
Environmental Specialist
Division of Solid and Infectious Waste Management

/csi

pc: File: Williams County, Dump Sites

ec: Mike Reiser, Tom Cikotte

Williams County, Ohio - Property Record Card
Parcel: 093-170-00-004.000
Card: 1

GENERAL PARCEL INFORMATION

Owner COLDWATER VENEER INC
Property Address 07075 R RD
Mailing Address 548 RACE ST
COLDWATER MI 49036
Land Use 111 - CASH-GRAIN OR GEN.CAUV
Legal Description R.3 T.9 S.17 S 3/4 W 1/2 & S 1/2 SW NW & N 1/2 NW SW 100.37A
026-02220-000

VALUATION

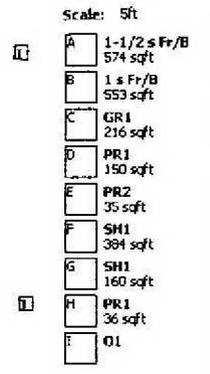
	Appraised	Assessed
Land Value	\$141,200.00	\$49,420.00
Improvements Value	\$12,300.00	\$4,310.00
CAUV Value	\$28,950.00	\$10,130.00
Taxable Value		\$14,440.00

LAND

Land Type	Acreage	Depth	Frontage	Depth	Value
A0 - Row	0.91	0	0	100	0
TA - Tillable	57.03	0	0	100	108360
WA - Woodland	40.47	0	0	100	16190
HF - Homesite-	1	0	0	100	16500
A9 - Waste	0.96	0	0	100	100

AGRICULTURAL

Land Type	Land Usage	Soil Type	Acres	Value
HF - Homesite-	-		1	16500
ZC - ZC	C - Crop	GLC2	26.67	2670
ZC - ZC	C - Crop	GLB	15.12	1810
ZC - ZC	C - Crop	PM	3.57	1930
ZC - ZC	C - Crop	GLD2	3.38	340
ZO - ZO	O - Other		0.91	0
ZW - ZW	W - Woodland	PM	40.47	4050
ZC - ZC	C - Crop	GLE2	0.56	60
ZC - ZC	C - Crop	WC	3.7	370
ZC - ZC	C - Crop	WK	0.19	20



RESIDENTIAL

Building Style	CONVENTIONAL	Full Baths	2
Year Built	1896	Half Baths	0
Stories	1.5	Basement	FULL BSMT
Finished Area	1701	Finished Basement Area	0
First Floor Area	1127	Heating	BASE
Half Floor Area	574	Cooling	NONE
Upper Floor Area	0	Exterior Wall	WOOD/ALUMINUM
Rooms	6	Attic	NONE
Bedrooms	3	Number of Fireplace Openings	0
Family Rooms	0	Number of Fireplace Stacks	0

ADDITIONS

Description	Area	Year Built	Value
GR1 - Garage Frame	216	0	\$3,850.00
PR1 - Porch Frame - Open	150	0	\$2,790.00
PR1 - Porch Frame - Open	35	0	\$650.00
PR1 - Porch Frame - Open	36	0	\$670.00
SH1 - Shed Frame or Equal	384	0	\$5,760.00
SH1 - Shed Frame or Equal	160	0	\$2,400.00

IMPROVEMENTS

Description	Year Built	Dimension	Area	Value
Poultry House	1920	72x18	1296	\$400.00
Frame Shop	1920	42x30	1260	\$700.00

SALES

Date	Buyer	Seller	Price
7/28/2008	COLDWATER VENEER INC	HAYS HOMER H	790000
7/28/2008	COLDWATER VENEER INC	COLDWATER VENEER INC	0
1/1/1990	HAYS HOMER H	Unknown	0

COMMERCIAL

Coldwater Veneer owned by Dean Calhoun
(317) 407-0873

Todd Gearhart present at site (260) 318-5807

