



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
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: Notice of Violation
Auglaize County

August 2, 2007.

Mr. Don Nelson
Meadowbrook Condo Association
931 Rue Drive
Cridersville, Ohio 45806

Dear Mr. Nelson:

On July 9, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office, received a complaint regarding the Meadowbrook Condo Association (Association) located at 931 Rue Drive, Cridersville, Ohio. On July 19, 2007, an inspection of the property was performed. I represented Ohio EPA during the inspection, no one was available to represent the Association. Several attempts were made to locate Mike Gray, building maintenance supervisor, on this day but were unsuccessful. Listed below are the results of the inspection.

Solid waste, in the form of blue paint chips, was noted in three locations along the bank of the creek located adjacent to the Association's club house. According to the complainant, the paint chips were a result of this year's pool cleaning and repainting. The paint chips along the creek appeared to be partially covered with tree limbs and yard waste. Solid waste placed on or into the ground constitutes open dumping.

The open dumping prohibition within Ohio Administrative Code (OAC) Rule 3745-27-05(C) states, "No person shall conduct, permit, or allow open dumping." Ohio Revised Code (ORC) § 3734.03 states in part, "No person shall dispose of solid wastes by open burning or open dumping, except as authorized by the director of environmental protection..." Therefore, the Meadowbrook Condo Association is in violation of the OAC Rule 3745-27-05(C) and ORC § 3734.03 for open dumping of solid waste.

The paint chips and surrounding soil along the creek, in all three locations, must be immediately cleaned-up and properly disposed in a licensed sanitary landfill. The tree limbs and yard waste must be taken to a yard waste drop-off site or registered compost facility. Please save your disposal receipts to verify proper legal disposal.

Please respond within seven days indicating the Association's willingness to comply with the above cited regulations. Failure to show progress toward the cleanup may subject you to escalated enforcement. Ohio EPA will be conducting periodic inspections to verify the clean-up was completed.

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This correspondence addresses specific observations noted only for the areas of the Meadowbrook Condo Association that were inspected. Nothing present in, or absent from this correspondence is intended to imply that no other violations existed at the property during the inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the Association from its obligation to comply with other applicable state and federal laws and regulations.

Please call me at (419) 373-3126 if you have any questions regarding this letter.

Sincerely,

Michael A. Reiser

Michael A. Reiser, R.S.
Environmental Supervisor
Division of Solid and Infectious Waste Management

/llr

~~pc: File: Auglaize County, Dump Sites ;~~