



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 Koriéski, Director

Re: Erie County  
Erie Group of Companies

June 29, 2007.

Robert Boehk  
Erie Group of Companies  
PO Box 2308  
4507 Tiffin Avenue  
Sandusky, Ohio 44871

Dear Mr. Boehk:

On June 8, 2007, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), conducted an inspection at the Erie Group of Companies (Facility), located at 4507 Tiffin Avenue, Sandusky, Ohio. The inspection was conducted in order to determine compliance with Chapter 3745-27 of the Ohio Administrative Code (OAC). Mary Ann Miller, Tyler Madeker, and I represented Ohio EPA during the inspection and you represented the Facility.

During this inspection a large pile of horse manure was observed near the back of the Facility. You indicated that the owner of the Facility also owns a large horse stable. The horse manure at the Facility was brought there from the owner's horse stable in order to mix with soil as a soil amendment for use on construction jobs. The manure was piled in an "L" shape and was approximately 20 feet in height by a total length of approximately 150 feet. The manure meets the definition of solid waste as defined by the OAC.

OAC Rule 3745-27-01(S)(24) states, 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..."

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.

Ohio Revised Code (ORC) Section 3734.03 states, 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.

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Placement of the manure at the Erie group of Companies property constitutes open dumping. Open dumping is a violation of OAC Rule 3745-27-05(C) and ORC Section 3734.03.

The Ohio EPA discussed several options, although not all inclusive, with the owner/operator for properly managing the manure. One option is to operate as a Class III composting facility. A complete set of regulations is available on our web page at [www.epa.state.oh.us](http://www.epa.state.oh.us). Click on "land" at the top of the page and go to the Division of Solid and Infectious Waste. From that page, you can access composting rules, guidance documents, and registration forms. Please be advised that the current static pile of manure do not adequately meet the requirements of composting.

Another option is to locate a registered composting facility that would be interested in taking the manure as a feed stock in their composting process.

Another option would be to land apply the manure directly from the generation point and not take the manure at the Erie Group of Companies facility.

A final option would be to dispose of the manure in a licensed solid waste disposal facility.

Please respond, in writing, within 14 days from receipt of this letter. Response shall include a complete schedule for managing the solid waste in accordance with OAC Chapter 3745-27. Please note the copies of receipts shall be submitted to Ohio EPA in order to document proper disposal, if applicable. Please submit this response and documentation to Ohio EPA, Northwest District Office, to my attention.

If you have any questions during your decision process, please feel free to contact me at (419) 373-3079.

Sincerely,



Jeremy Scoles, S.I.T., CHMM  
Environmental Specialist  
Division of Solid and Infectious Waste Management

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pc: ~~File: Erie County, Dump Sites~~