



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: Huron County
Open Dumping

April 18, 2008

CERTIFIED MAIL
7006 0100 0003 7708 5572

Ms. Mildred Klepper
4989 SR 601
Norwalk, Ohio 44857

Dear Ms. Klepper:

On March 19, 2008 the Ohio Environmental Protection Agency (Ohio EPA) conducted an inspection at your property. The parcel number for this property is: 270020050130000. The purpose of this inspection was to investigate a complaint Ohio EPA received in reference to a neighboring property and determine compliance in accordance with Chapter 3745-27 of the Ohio Administrative Code (OAC). While conducting an inspection of an adjacent property, a large dump site was observed on your property. I have enclosed the pictures from our inspection for your reference.

Brent Goetz and I represented Ohio EPA during the March 19, 2008 inspection. We discussed the findings of our inspection with you at your house. I observed a large pile of solid waste on the hillside above the river. The solid waste consisted of tires, appliances, scrap plastic and metal, pallets, tarps, and various other discarded items. The pile of solid waste was being covered with yard waste and brush.

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 above referenced items onto or into the ground constitutes open dumping. The owner/operator of the property is in violation of OAC Rule 3745-27-05(C) and ORC Section 3734.03 for open dumping. The owner/operator of the property is also in violation of ORC Section 3734.02(C), ORC Section 3734.05(A)(1), and OAC Rule 3745-37-01(A) for operating a solid waste disposal site without a permit and license.

ORC Section 3734.02(C) states, Except as provided in this division and divisions (N)(2) and (3) of this section, 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.

ORC Section 3734.05(A)(1) states, Except as provided in divisions (A)(4), (8), and (9) of this section, 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.

OAC Rule 3745-37-01(A) states in part, No person shall conduct municipal solid waste landfill 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.

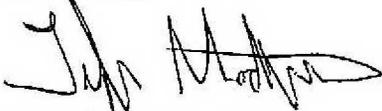
You will continue to be in violation of 3745-31-02(A)(1), ORC Section 3734.02(C), ORC Section 3734.05(A)(1), and OAC Rule 3745-37-01(A) for operating an unlicensed and unpermitted solid waste landfill facility and OAC Rule 3745-27-05(C) and ORC Section 3734.03 for open dumping of solid waste at your property until all waste materials are removed.

Please respond, in writing, within 7 days from receipt of this notice of violation. The response shall include a complete schedule for removing solid waste from the aforementioned property for proper disposal. Please note the copies of receipts shall be submitted to Ohio EPA in order to document proper disposal. The removal of scrap tires must be done by a scrap tire transporter who is registered with Ohio EPA. A list of Ohio's registered scrap tire transporters is enclosed for your reference. You are required to maintain shipping papers for all tires removed from the property. Please submit this response and documentation to my attention at: 347 North Dunbridge Rd. Bowling Green, Ohio 43402.

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If you have any questions, please feel free to contact me at Ohio EPA, Northwest District Office (419) 373-3078.

Sincerely,



Tyler Madeker, S.I.T.
Environmental Specialist
Division of Solid and Infectious Waste Management

/csi

pc: Eric Cherry, Huron County Health Department – w/ attachment
(File:Huron County, Dump Sites – w/ attachment)

ec: Brent Goetz, 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. 	A. Signature <input checked="" type="checkbox"/> <i>Tom Klepper</i> <div style="float: right;"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </div>
1. Article Addressed to: MS MILDRED KLEPPER 4989 SR 601 NORWALK OH 44857 DSIWM/Tyler M./csl	B. Received by (Printed Name) C. Date of Delivery <i>Tom Klepper</i> <i>2-1-08</i>
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
	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.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> 7006 0100 0003 7708 5572 </div>
PS Form 3811, February 2004	Domestic Return Receipt 102595-02-M-1540

