



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
Ottawa County**

June 20, 2008

CERTIFIED MAIL

Mr. Kenneth or Mrs. Carolyn Neeb
3445 Dischinger Rd.
Elmore, OH 43416

Dear Mr. and Mrs. Neeb:

On May 30, 2008, the Ohio Environmental Protection Agency (Ohio EPA) received a complaint regarding debris from a road project on your property located on S. Dischinger Road, Ottawa County, Parcel # 0170201404499000 (property). On June 12, 2008, I inspected the site and observed concrete, asphalt and soil placed on your property next to Sugar Creek. Concrete and asphalt are considered clean hard fill. Ohio Administrative Code (OAC) Rule 3745-400-05(C) regarding use of clean hard fill states:

The person responsible for causing clean hard fill to be used in legitimate fill operations for construction purposes or to bring the site up to a consistent grade, on a site other than the site of generation, shall provide a written "Notice of Intent to Fill" to each licensing authority where the clean hard fill is to be placed. The Notice of Intent to Fill shall state the nature of the fill material, the site(s) to be filled, when filling will begin and end, and the telephone number of the notifier. The notification shall be received by each local licensing authority with sites to be filled, at least seven days prior to filling as required by division (F) of section 3714.13 of the Revised Code. The notifier shall provide a new Notice of Intent to Fill if there are any changes in the information required by this rule for notification.

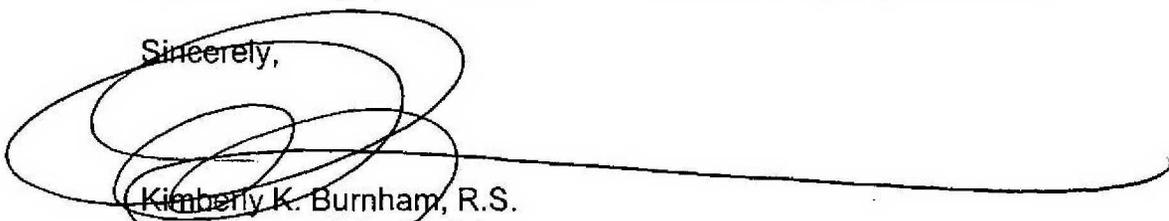
The owner/operator is in violation of OAC Rule 3745-400-05(C) for failing to provide Notice of Intent to Fill as required. To resolve this violation, complete the enclosed form and return it to my attention at:

Ohio EPA - NWDO
Attn: Kimberly Burnham
347 N. Dunbridge Road
Bowling Green, Ohio 43402

Mr. Kenneth & Mrs. Carolyn Neeb
June 23, 2008
Page Two

If you have any questions, please contact me at (419) 373-3049.

Sincerely,



Kimberly K. Burnham, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/lb

Enclosure

pc: Scott Young, Ottawa County Health Department
Harris Township Trustees, 321 W. Rice St., Elmore, Ohio 43416

~~File: Ottawa County Dump Sites~~

ec: Kimberly Burnham, DSIWM, NWDO

05TJW-KB-LB

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"/> Agent <input checked="" type="checkbox"/> Addressee <i>Kenneth Neeb</i>	
	B. Received by (Printed Name) KENNETH NEEB	C. Date of Delivery 6-26-08
1. Article Addressed to: <i>Mr Kenneth or Mrs Carolyn Neeb 3445 Deschinger Rd Elmore Oh 43416</i>	D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No	
	3. Service Type <input 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	
2. Article Number (Transfer from service label)	7006 0100 0004 1318 3392	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

05TJW-KB-LB

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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OFFICIAL USE

Postage	\$.42	
Certified Fee	2.70	
Return Receipt Fee (Endorsement Required)	2.20	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 5.32	

Sent To: *Mr Kenneth or Mrs Carolyn Neeb*
 Street, Apt. No., or PO Box No.: *3445 Deschinger Rd*
 City, State, ZIP+4: *Elmore Oh 43416*

PS Form 3800, June 2002 See Reverse for Instructions

7006 0100 0004 1318 3392