



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road  
Bowling Green, Ohio 43402

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Laura H. Powell, Acting Director

Re: Notice of Violation  
Broseke Car Wash  
Hardin County

January 24, 2007

Mr. Wes Broseke Jr.  
6481 State Route 68  
Kenton, Ohio 43326

Dear Mr. Broseke:

On December 14, 2006, Jeremy Scoles and I represented the Ohio Environmental Protection Agency (Ohio EPA) and performed an inspection of the property known as the Broseke Car Wash (Facility) located on East Columbus Street in Kenton, Ohio, for compliance with Ohio's open dumping regulations. No one represented the Facility during the inspection.

Dirt and sludge from the manual car wash and plastic pieces from the automatic car wash were found to be dumped behind the car wash. It appeared that a small amount (five gallon bucket) of sludge was recently dumped. The open dumping was noted near the property line with Mr. Frank Rogers.

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) Chapter 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, you are in violation of OAC Rule 3745-27-05(C) and ORC Chapter 3734.03 for open dumping.

The dirt and sludge from the manual car wash and plastic pieces from the automatic car wash placed behind the car wash must be immediately cleaned-up and properly disposed. We spoke, via the telephone, on January 4, 2007, and you indicated the property would be cleaned-up and the dirt and sludge would be properly managed in the future.

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 and the future waste disposal is being managed properly.

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This correspondence addresses specific observations noted only for the areas of the Broseke Car Wash 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 you from your obligations to comply with other applicable state and federal laws and regulations.

If you have any questions concerning this correspondence, you may contact me at (419) 373-3126.

Sincerely,

*Michael A. Reiser*

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

/llr

pc: David Zeller, Hardin County Health Department  
File Copy: Hardin County, Open Dumps