OhioEPA

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: Inspection Results
Miller Contracting Office Property
Progressive Drive Property
Putnam County

September 30, 2008

Mr. Alan J. Miller
AMMPACK Properties LTD
Box 328
Ottoville, Ohio 45876

Dear Mr. Miller:

On August 18, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA) completed an inspection of two properties located in the Village of Ottoville, both of which are owned by you. Results of the inspections were summarized in a letter dated August 27, 2008. The August 27, 2008 letter indicated that you were in violation of Ohio Revised Code (ORC) 3734.03 and Ohio Administrative Code (OAC) Rule 3745-27-05(C) for open dumping of solid waste, OAC Rule 3745-400-04(B) for illegal disposal of construction demolition debris, and ORC 3734.02(C), ORC 3734.05(A)(1), and OAC Rule 3745-37-01(A) for operating a solid waste disposal facility without a license or permit.

A meeting was held on August 25, 2008, between Miller Contracting Group and Ohio EPA. Miller Contracting Group was represented by John Vetter, Tom Sanders, and you; while John Pasquarette, Mike Reiser, and myself represented Ohio EPA. During this meeting we discussed recent violations, what needed to be done to rectify the violations, timelines for rectifying the violations, as well as waste management practices to avoid any future violations. Based on the meeting a cleanup timeline of 30 days from the time of receipt of the August 27, 2008, notice of violation letter was established.

On September 25, 2008, Miller Contracting Group submitted disposal receipts and photographs indicating that both properties had been cleaned up and materials properly disposed. Disposal receipts indicated that a total of 82.14 tons of material had been taken to Defiance County Landfill and 63 yards of material had been taken to EOLM, Inc. in Lima, Ohio. On September 26, 2008, re-inspections of both the Miller Contracting Group and Progressive Drive properties were completed. Observations made during the re-inspection indicated that materials outlined in the August 18, 2008, notice of violation letter had been removed from both properties. These observations along with documentation provided by Miller Contracting Group on September 25, 2008, adequately address violations observed during the August 18, 2008, inspection.

To avoid future violations, please ensure that all materials are disposed in accordance with Ohio EPA rules and regulations.

This correspondence addresses specific observations only for the areas of the Miller Contracting Group and Progressive Drive properties that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no violations existed at the either properties at the time of the inspection.

Compliance with the requirements in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the owner/operator of Miller Contracting from their obligations to comply with other applicable state and federal laws and regulations.

Please call me at 419-373-4114 if you have any questions.

Sincerely,

Brent M. Goetz, SIT
Environmental Specialist
Division of Solid and Infectious Waste Management

/csl

pc: Putnam County Health Department
File: Putnam County, Dump Sites

ec: Mike Reiser, DSIWM-NWDO