



**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

*We Protect Hoosiers and Our Environment.*

Southwest Regional Office • 1120 N. Vincennes Ave., P.O. Box 128 • Petersburg, IN 47567-0128

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**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

June 28, 2024

**VIA E-MAIL**

Logan A. Parker  
Parker Excavating LLC  
719 West Broadway Street  
Princeton, Indiana 47670  
[parkerexcavating@outlook.com](mailto:parkerexcavating@outlook.com)

Dear Mr. Parker:

Re: **Violation Letter**  
South Whitetail Way  
Parcel #26-12-07-301-000.604-028  
Princeton, Gibson County

On June 19, 2024, a representative of the Indiana Department of Environmental Management, Office of Land Quality, conducted an inspection of your property, located at South Whitetail Way, Princeton, Indiana. This inspection was conducted pursuant to IC 13-14-2-2. For your information, and in accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection:	Follow-Up	<b>#112399</b>
Results of Inspection:	Violations were observed (see attached inspection report).	

Please direct any response to this letter and any questions to Mr. Hayden Dayson, 812-582-8463 or [hdayson@idem.in.gov](mailto:hdayson@idem.in.gov). Thank you for your attention to this matter.

Sincerely,

Nicholas Carr, Director  
Southwest Regional Office

Enclosure

cc: Gibson County Health Department, [health@gibsoncounty-in.gov](mailto:health@gibsoncounty-in.gov)  
Gibson County Solid Waste Management District, [gcsww@gibsoncounty-in.gov](mailto:gcsww@gibsoncounty-in.gov)

**REPORT OF OPEN DUMP INSPECTION**

State Form 42033 (r2/2-00)

Indiana Department of Environmental Management  
 Solid Waste Compliance Section  
 Office of Land Quality  
 100 North Senate Avenue, Room N-1101  
 Indianapolis, Indiana 46204-2251

Inspector Name: Hayden Dayson

Inspector Phone: 812-582-8463

Inspection Date: 6/19/2024

Time In: 1:25 pm

Time Out: 1:40 pm

**GENERAL INFORMATION**

Name of registration or Tempo (RM): <b>112399</b>	Location: : South Whitetail Way, Princeton, IN 47670	County: Gibson
INX #: 000068681	Parcel ID #: 26-12-07-301-000.604-028	Parcel Acreage: 8

**PROPERTY OWNER(S)**

Name(s) of property owner(s) and/or Company: Logan A. Parker, Parker Excavating LLC	
Address (number, city, state, and zip code): 719 Broadway Street, Princeton, IN 47670	
Email Address: parkerexcavating@outlook.com	Telephone #: 812-664-8898

**RESPONSIBLE PARTY(IES)**

Name(s) of property owner(s) and/or Company: <a href="#">Click here to enter text.</a>	
Address (number, city, state, and zip code): <a href="#">Click here to enter text.</a>	
Email Address: <a href="#">Click here to enter text.</a>	Telephone #: <a href="#">Click here to enter text.</a>

**ACREAGE**

<input type="checkbox"/>	020	Less Than ¼ Acre	<input type="checkbox"/>	021	Between ¼ Acre & 1 Acre	<input checked="" type="checkbox"/>	022	Greater than 1 Acre
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**SOLID WASTE OBSERVED**

<input type="checkbox"/>	001	Tires	<input type="checkbox"/>	002	PCB's	<input type="checkbox"/>	003	Household Waste
<input type="checkbox"/>	004	Asbestos	<input checked="" type="checkbox"/>	006	Construction/Demolition Waste	<input type="checkbox"/>	007	Bulky Waste
<input type="checkbox"/>	008	Other Waste						

**ACTIVE CONDITIONS**

<input type="checkbox"/>	015	Strong Odor	<input type="checkbox"/>	016	Waste Paper Dated Post Last Inspection	<input type="checkbox"/>	017	Vectors
<input type="checkbox"/>	018	Putrescible Waste	<input type="checkbox"/>	019	Other Evidence of Recent Dumping			

**PARAMETERS OBSERVED**

<input type="checkbox"/>	009	Evidence of Burning	<input type="checkbox"/>	010	Waste in Water/Wetland	<input type="checkbox"/>	011	Waste in Suspected Floodway
<input checked="" type="checkbox"/>	012	Residence within 600 feet of Waste	<input type="checkbox"/>	013	Access Unrestricted	<input type="checkbox"/>	014	Permission Given to Dump

**GENERAL INFORMATION**

<input checked="" type="checkbox"/>	023	Pictures Taken	<input type="checkbox"/>	038	Initial Inspection	<input checked="" type="checkbox"/>	039	Follow-Up Inspection
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**REFERRALS**

<input type="checkbox"/>	027	Air Management	<input type="checkbox"/>	028	Emergency Response	<input type="checkbox"/>	029	Water management
<input type="checkbox"/>	030	Enforcement	<input type="checkbox"/>	031	Hazardous Waste	<input type="checkbox"/>	032	Dept. of Natural Resources
<input type="checkbox"/>	034	Co. Health Dept./Solid Waste Mgmt District						

**COMPLIANCE ACTION NEEDED**

<input checked="" type="checkbox"/>	024	Remove waste to approved solid waste management facility	<input type="checkbox"/>	025	As specified below	<input type="checkbox"/>	026	No Action Needed (In Compliance)
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## Comments:

On June 19, 2024, Solid Waste inspector, Hayden Dayson, conducted an inspection at South Whitetail Way, Princeton, IN 47670. This inspection was carried out as a follow-up to the initial solid waste inspection on May 9, 2024. The initial inspection was for dumping of regulated demolition waste into a ravine/ creek at the previously mentioned address.

Upon arrival the inspector observed the area had changed. The dirt row that ran along the western side of the area that was filled with painted brick/ concrete debris, rebar, piping, railroad ties, and plastic culvert pieces was no longer there. A large mixed dirt pile containing broken concrete slabs, brick, and rebar was present. However, no painted concrete or brick was observed in this pile. An excavator sat next to this pile as well (Photos 3-8).

On the eastern side of the site, the large dirt pile seen previously was still present. However, no regulated waste was observed mixed in the pile (Photos 1- 2). An excavator sat on this pile as well.

The inspector then walked down a path that was made by the excavators to see further down into the ravine. While walking down, the inspector observed plastic piping, and plastic culvert pieces in the dirt. At the bottom the inspector observed concrete slabs, cinderblocks, and scrap wood pieces. It was at this time the inspector looked over the cascading slope from all the mixed dirt that had been dumped on the site. The inspector observed black plastic tarping, scrap metals, plastic culvert pieces, and broken concrete pieces (Photos 9-13).

The inspection concluded at this time.

## DESCRIPTION OF VIOLATIONS

**IC 13-30-2-1 (1), (3), (4), (5):** A person may not allow the deposit of contaminants or solid waste upon the land or into the environment.

**329 IAC 10-4-2:** No person shall cause or allow the storage, contaminant, processing, or disposal of solid waste in a manner which creates a threat to human health or the environment, including the creating of a fire hazard, vector, attraction, air or water pollution, or other contamination.

**329 IAC 10-4-3, 329 IAC 10-4-4:** Open dumps are prohibited and must be remediated.

*Violation Details: At the time of inspection, this inspector observed construction/demolition debris, rebar, plastic culvert pieces, and painted brick/concrete waste mixed with dirt and dumped on the ground throughout the property.*

**Required Action:** It is the responsibility of the property owner to ensure that all dumping is stopped immediately and that the solid waste is removed and disposed of properly at a state approved solid waste management facility. Failure to do so will result in continued noncompliance with the Indiana rules regarding open dumping and may result in a referral to IDEM's Office of Land Enforcement. Documentation of proper disposal must be provided to the IDEM Solid Waste Compliance Inspector.

Please note that Indiana's Air Pollution Control Rule 326 IAC 4-1 prohibits the open burning of this waste. Section 5 of this rule states, "Any person who allows the accumulation or existence of combustible material which constitutes or contributes to a fire causing air pollution shall not be excused from the responsibility thereof on the basis that the fire was set by vandals, accidental or an act of God." Any burning of this waste may subject you to legal action.

A follow-up inspection will be conducted in **30 days** from receipt of this report.

**Confidential Information**

In accordance with 329 IAC 6.1 (<http://www.in.gov/legislative/iac/T03290/A00061.PDF>) a person submitting information to the department for which confidential treatment is requested shall make a written claim of confidentiality at the time of submittal of the information. A person may request confidential treatment of information at the time the information is acquired through the actions of the department, such as inspections. The written claim for confidential treatment may be broad, but must be sufficiently clear to allow for accurate identification of the information claimed to be confidential. In accordance with 329 IAC 6.1-4-1(d), supporting information must be submitted to the commissioner within five (5) working days from the time the information claimed as confidential is acquired by the department. A person submitting a claim of confidentiality shall designate and segregate the information and the supporting information to which the claim applies in a manner that is sufficiently clear to allow the department to identify all confidential claim materials. Confidential information may include (but is not limited to) written or printed material, maps, charts, photographs, or samples (see definition of information at 329 IAC 6.1-2-8). The undersigned Owner/Representative has alleged information acquired during this inspection  **does**  **does not** (check one) contain confidential information. A check in the “does” box is not a written claim for confidential treatment of information acquired during this inspection.

### Notice of Oral Report

In accordance with IC 13-14-5 an oral report of the inspection was provided to the undersigned Owner/Agent at the conclusion of the inspection. The oral report includes any specific matters discovered during the inspection that the IDEM representative believes may be a violation of a law or of a permit issued by the department. The report does not include matters not evident to the IDEM representative or any fact that indicates an intentional, a knowing, or a reckless violation.

Received by: Logan A. Parker Gibson County Health Department Gibson County Solid Waste Management Nicholas Carr	E-mail Address: <a href="mailto:parkerexcavating@outlook.com">parkerexcavating@outlook.com</a> <a href="mailto:health@gibsoncounty-in.gov">health@gibsoncounty-in.gov</a> <a href="mailto:gcsw@gibsoncounty-in.gov">gcsw@gibsoncounty-in.gov</a> <a href="mailto:ncarr@idem.in.gov">ncarr@idem.in.gov</a>
Date Emailed by Inspector: <a href="#">Click here to enter a date.</a>	<input checked="" type="checkbox"/> Needs Mailed



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:26 pm

**Others Present**

N/A

**Description**

Photo 1. Picture of the site. Piles of dirt seen in the center and on the left.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:26 pm

**Others Present**

N/A

**Description**

Photo 2. Pile of mixed dirt with excavator on the east side of the site.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:26 pm

**Others Present**

N/A

**Description**

Photo 3. Mixed dirt pile and excavator on the west side of the site. Broken concrete slabs seen.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:27 pm

**Others Present**

N/A

**Description**

Photo 4. Closer look at the concrete pieces seen in the pile. Scrap metal sticking out at the top.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:27 pm

**Others Present**

N/A

**Description**

Photo 5. Picture of the base of the pile. Broken brick, concrete, and rebar seen.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:27 pm

**Others Present**

N/A

**Description**

Photo 6. The backside of the pile. Plastic tarping, plastic culvert pieces, and scrap wood seen in the dirt as well.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:27 pm

**Others Present**

N/A

**Description**

Photo 7. Dirt pile with plastic debris mixed in seen behind the previous pile.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:28 pm

**Others Present**

N/A

**Description**

Photo 8. Piece of rail tie seen at the base of the previous dirt pile.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:28 pm

**Others Present**

N/A

**Description**

Photo 9. Plastic piping, culvert, metals, and pieces of concrete seen at the top of the slope next to the descending path.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:29 pm

**Others Present**

N/A

**Description**

Photo 10. Picture of the slope going down into the ravine. Whole/broken cinderblocks are seen at the bottom.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:29 pm

**Others Present**

N/A

**Description**

Photo 11. Closer look of the slope. Black plastic tarping pieces, scrap metals, and wood sticking out of the slope.



**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:31 pm

**Others Present**

N/A

**Description**

Photo 12. Top of the slope. Plastic culvert pieces, and tarping seen.





**Facility Name**

Parker OD, Gibson County

**Photographer**

Hayden Dayson

**Date/Time**

6/19/24, 1:31 pm

**Others Present**

N/A

**Description**

Photo 13. Another picture of the whole/broken cinderblocks at the bottom of the ravine.