



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 01, 2024

VIA EMAIL AND USPS MAIL

Mr. Travis Preston, Responsible Party
233 West Cherry Street
Marengo, Indiana 47140
travispreston616@gmail.com

The Revocable Living Trust of Donald E
Compton Sr, Property Owner
615 South Harrison Street
Marengo, Indiana 47140

Dear Mr. Preston and Property Owner(s):

Re: **Violation Letter**
387 South Short Street
Property Parcel 13-07-01-400-017.000-007
Incident 93935 Preston OD
Marengo, Crawford County

On June 27, 2024, a representative of the Indiana Department of Environmental Management, Office of Land Quality, conducted an open dump complaint follow-up inspection on Crawford County Property Parcel 13-07-01-400-017.000-007 located at 387 South Short Street, Marengo, Indiana 47140. The property owner of record is The Revocable Living Trust of Donald E Compton Sr. This follow-up 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 follow-up inspection is provided below:

Type of Inspection: Complaint follow-up inspection
Results of Inspection: Violations were observed (see attached inspection report).

Please direct any response to this letter and any questions to Chad Pittman, 812-216-2107 or cpittman@idem.in.gov. Thank you for your attention to this matter.

Sincerely,

Mark A. Amick, Director
Southeast Regional Office

Enclosure:

Inspection Report
Inspection Photographs

cc:

Crawford County Health Department ([esatterfield@crawfordcountyin.com](mailto:esatterfield@ crawfordcountyin.com))
Crawford County Solid Waste Management District (ccswd@frontier.com)
Karla Frownfelter, IDEM Office of Chief of Staff (KFrownfe@idem.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: Chad Pittman

Inspector Phone: 812-216-2107

Inspection Date: June 27, 2024

Time In: 11:20 AM

Time Out: 11:50 AM

GENERAL INFORMATION

Name of registration or Tempo (RM): 93935 Preston OD	Location: 387 South Short Street, Marengo, Indiana 47140	County: Crawford
INX #: INX000068635 Master AI ID: 133883	Parcel ID #: 13-07-01-400-017.000-007	Parcel Acreage: 0.241047

PROPERTY OWNER(S)

Name(s) of property owner(s) and/or Company: The Revocable Living Trust of Donald E Compton Sr	
Address (number, city, state, and zip code): 615 South Harrison Street, Marengo, Indiana 47140	
Email Address:	Telephone #:

RESPONSIBLE PARTY(IES)

Name(s) of property owner(s) and/or Company: Travis Preston	
Address (number, city, state, and zip code): 233 West Cherry Street, Marengo, Indiana 47140	
Email Address: travispreston616@gmail.com	Telephone #: 812-572-2881 (Heather)

ACREAGE

<input checked="" type="checkbox"/> 020 Less Than ¼ Acre	<input type="checkbox"/> 021 Between ¼ Acre & 1 Acre	<input 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 checked="" type="checkbox"/> 007 Bulky Waste
<input checked="" 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 checked="" 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 checked="" 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 Thursday, June 27, 2024, IDEM Solid Waste Compliance Inspector Chad Pittman, conducted an open dump follow-up inspection on Crawford County property parcel 13-07-01-400-017.000-007 located at 387 South Short Street, Marengo, Indiana 47140. The previous inspection was conducted on March 18, 2024.

The solid waste compliance inspector arrived at 387 South Short Street, Marengo, Indiana 47140 at 11:20 AM on Thursday, June 27, 2024. The inspector met with Ms. Dawn Preston at the time of the follow-up inspection. The inspector requested permission to conduct an open dump complaint follow-up inspection on the property, which Ms. Preston granted. Ms. Preston accompanied the inspector throughout the inspection process.

Regulated solid waste including scrap steel not being managed as a commodity, and construction and demolition debris were observed near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007 at the time of the inspection. Photographs of the regulated solid waste on the property are included as an attachment to this inspection report. Some progress toward compliance has been made on the property since the March 18, 2024, complaint inspection. Receipts for proper disposal for the regulated waste removed from the property have not been provided to the solid waste compliance inspector prior to the June 27, 2024, follow-up inspection.

For reference, 329 IAC 10-2-174 defines "Solid waste" as (a) having the meaning as set forth in IC 13-11-2-205(a). Materials that are excluded from solid waste regulation by 329 IAC 10-3-1 include uncontaminated rocks, bricks, concrete; road demolition waste materials or soil; uncontaminated and untreated natural growth solid waste including tree limbs, stumps, leaves, and grass clippings; sawdust that is derived from processing untreated wood.

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 the follow-up inspection, the solid waste compliance inspector observed regulated solid waste including scrap steel not being managed as a commodity, and construction and demolition debris located near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007 (See Photographs 1-5).

Required Action: It is your obligation as the responsible party to ensure that all dumping is stopped immediately and that all regulated solid waste on Crawford County property parcel 13-07-01-400-017.000-007 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 Quality Enforcement Section. Documentation of proper disposal must be provided to the IDEM Solid Waste Compliance Inspector to verify all regulated solid waste on site has been properly disposed.

Within **60 days** of receipt of this letter, a follow-up inspection will be conducted to verify compliance with the requirements listed above. If additional time is requested to conduct the clean-up activity, a detailed compliance schedule must be presented to the solid waste compliance inspector for review and approval.

Please direct any solid waste compliance questions or questions pertaining to this report to Chad Pittman at 812-216-2107 or cpittman@idem.in.gov.

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: The Revocable Living Trust of Donald E Compton Sr. Travis Preston, responsible party Crawford County Health Department Crawford County Solid Waste Management District Karla Frownfelter, IDEM Office of Chief of Staff	E-mail Address: Via USPS mail travispreston616@gmail.com esatterfield@crawfordcountyin.com ccswd@frontier.com KFrownfe@idem.IN.gov
Date Emailed by Inspector:	<input checked="" type="checkbox"/> Needs Mailed

1



Facility Name

93935 Preston OD – Marengo,
Crawford County

Photographer

Chad Pittman

Date/Time

June 27, 2024, 11:30 AM

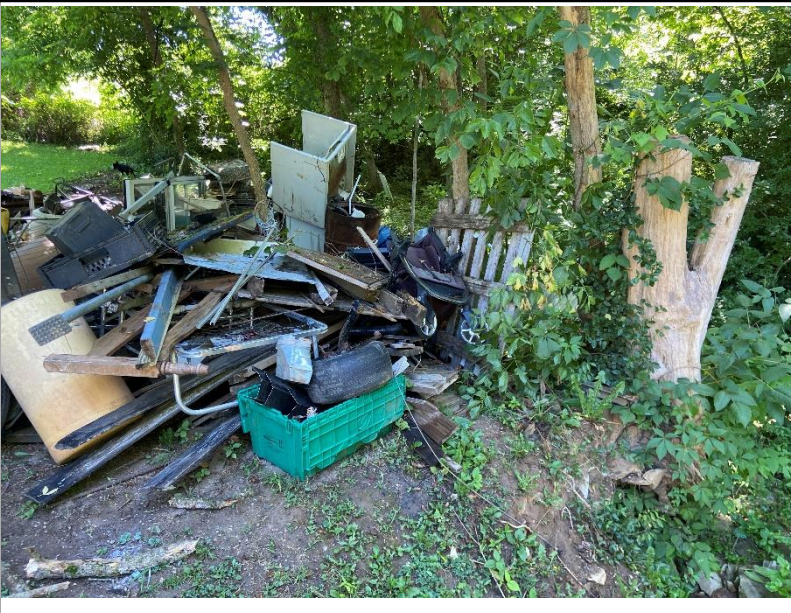
Others Present

Dawn Preston

Description

Regulated solid waste including scrap steel not being managed as a commodity and construction and demolition debris near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007.

2



Facility Name

93935 Preston OD – Marengo,
Crawford County

Photographer

Chad Pittman

Date/Time

June 27, 2024, 11:30 AM

Others Present

Dawn Preston

Description

Regulated solid waste including scrap steel not being managed as a commodity and construction and demolition debris near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007.

3



Facility Name

93935 Preston OD – Marengo,
Crawford County

Photographer

Chad Pittman

Date/Time

June 27, 2024, 11:30 AM

Others Present

Dawn Preston

Description

Regulated solid waste including scrap steel not being managed as a commodity and construction and demolition debris near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007.

4



Facility Name

93935 Preston OD – Marengo,
Crawford County

Photographer

Chad Pittman

Date/Time

June 27, 2024, 11:30 AM

Others Present

Dawn Preston

Description

Regulated solid waste including scrap steel not being managed as a commodity and construction and demolition debris near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007.

5



Facility Name

93935 Preston OD – Marengo,
Crawford County

Photographer

Chad Pittman

Date/Time

June 27, 2024, 11:30 AM

Others Present

Dawn Preston

Description

Regulated solid waste including scrap steel not being managed as a commodity and construction and demolition debris near Brandywine Fork Creek on Crawford County property parcel 13-07-01-400-017.000-007.