



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

(888) 672-8323 • (812) 380-2305 • Fax (812) 380-2304 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 28, 2024

VIA E-MAIL

Kenneth Neil
5573 North Greene County Line Road
Bloomington, Indiana 47403
Kennethneill@gmail.com

Dear Mr. Neil:

Re: **Violation Letter**
5573 North Greene County Line Road
Bloomington, Greene County

On June 20, 2024, a representative of the Indiana Department of Environmental Management, Office of Land Quality, conducted an inspection of your property, located at 5573 North Greene County Line Road, Bloomington, 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 #112331

Results of Inspection: Violations were observed (see attached inspection report).

Please direct any questions regarding this letter to Mr. Hayden Dayson, 812-582-8463 or hdayson@idem.in.gov. Thank you for your attention to this matter.

Sincerely,

Nicholas Carr, Director
Southwest Regional Office

Enclosure

cc: Greene County Health Department
Greene County Solid Waste Management District

**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: 6/20/2024

Time In: 10:00 am

Time Out: 10:40 am

GENERAL INFORMATION

Name of registration or Tempo (RM): 112331	Location: 5573 North Greene County Line Road, Bloomington, IN 47403	County: Greene
INX #: 000068711	Parcel ID #: 28-01-25-000-010.002- 001	Parcel Acreage: 0.48

PROPERTY OWNER(S)

Name(s) of property owner(s) and/or Company: Keeneth Neil	
Address (number, city, state, and zip code): 5573 North Greene County Line Road, Bloomington, IN 47403	
Email Address: kennethneill9@gmail.com	Telephone #: 812-369-1329

RESPONSIBLE PARTY(IES)

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

ACREAGE

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

SOLID WASTE OBSERVED

<input checked="" type="checkbox"/>	001	Tires	<input type="checkbox"/>	002	PCB's	<input type="checkbox"/>	003	Household Waste
<input type="checkbox"/>	004	Asbestos	<input 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
-------------------------------------	-----	----------------	--------------------------	-----	--------------------	-------------------------------------	-----	----------------------

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)
-------------------------------------	-----	--	--------------------------	-----	--------------------	--------------------------	-----	-------------------------------------

Comments:

On June 20, 2024, Solid Waste inspector, Hayden Dayson, conducted an inspection at 5573 North Greene County Line Road, Bloomington, IN. This inspection was done as a follow-up to the initial inspection on June 3, 2024. to a complaint on the property for the dumping of waste tires. Upon arrival, the inspector met with the property owner, Mr. Kenneth Neil.

The inspector observed a significant reduction in the number of tires that were placed by the dumpster. According to Mr. Neil, he has been working hard to cut up and remove the tires. However, at this point Mr. Neil pointed out more tires that got dumped in front of the barn on the property (Photos 1-5). According to Mr. Neil, he knows who has been dumping the tires on the property, but the inspector informed him that that is a civil matter. Mr. Neil said he understood, and that he will continue to cut up and remove the tires.

A follow-up inspection will be conducted in 30 days.

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 waste tires 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:
Kenneth Neil
Greene County HD
Greene County SWMD
Nicholas Carr, SWRO IDEM Director

E-mail Address:
Kennethneill9@gmail.com
shari.lewis@co.greene.in.us
ed.michael@co.greene.in.us
ncarr@idem.in.gov

Date Emailed by Inspector: [Click here to enter a date.](#)

Needs Mailed



Facility Name

Neil OD, Greene County

Photographer

Hayden Dayson

Date/Time

6/20/2024, 10:02 am

Others Present

Mr. Neil

Description

Photo 1. Stacks of cut tires, and whole tires by dumpster. Significant decrease in tires in this area.



Facility Name

Neil OD, Greene County

Photographer

Hayden Dayson

Date/Time

6/20/2024, 10:03 am

Others Present

Mr. Neil

Description

Photo 2. More tires stacked by the barn that got dumped onto the property.



Facility Name

Neil OD, Greene County

Photographer

Hayden Dayson

Date/Time

6/20/2024, 10:06 am

Others Present

Mr. Neil

Description

Photo 3. Water seen in tires in the stacks.



Facility Name

Neil OD, Greene County

Photographer

Hayden Dayson

Date/Time

6/20/2024, 10:32 am

Others Present

Mr. Neil

Description

Photo 4. Additional view of the tries that got dumped here.



Facility Name

Neil OD, Greene County

Photographer

Hayden Dayson

Date/Time

6/20/2024, 10:33 am

Others Present

Mr. Neil

Description

Photo 5. More tire stacks seen on the property.

